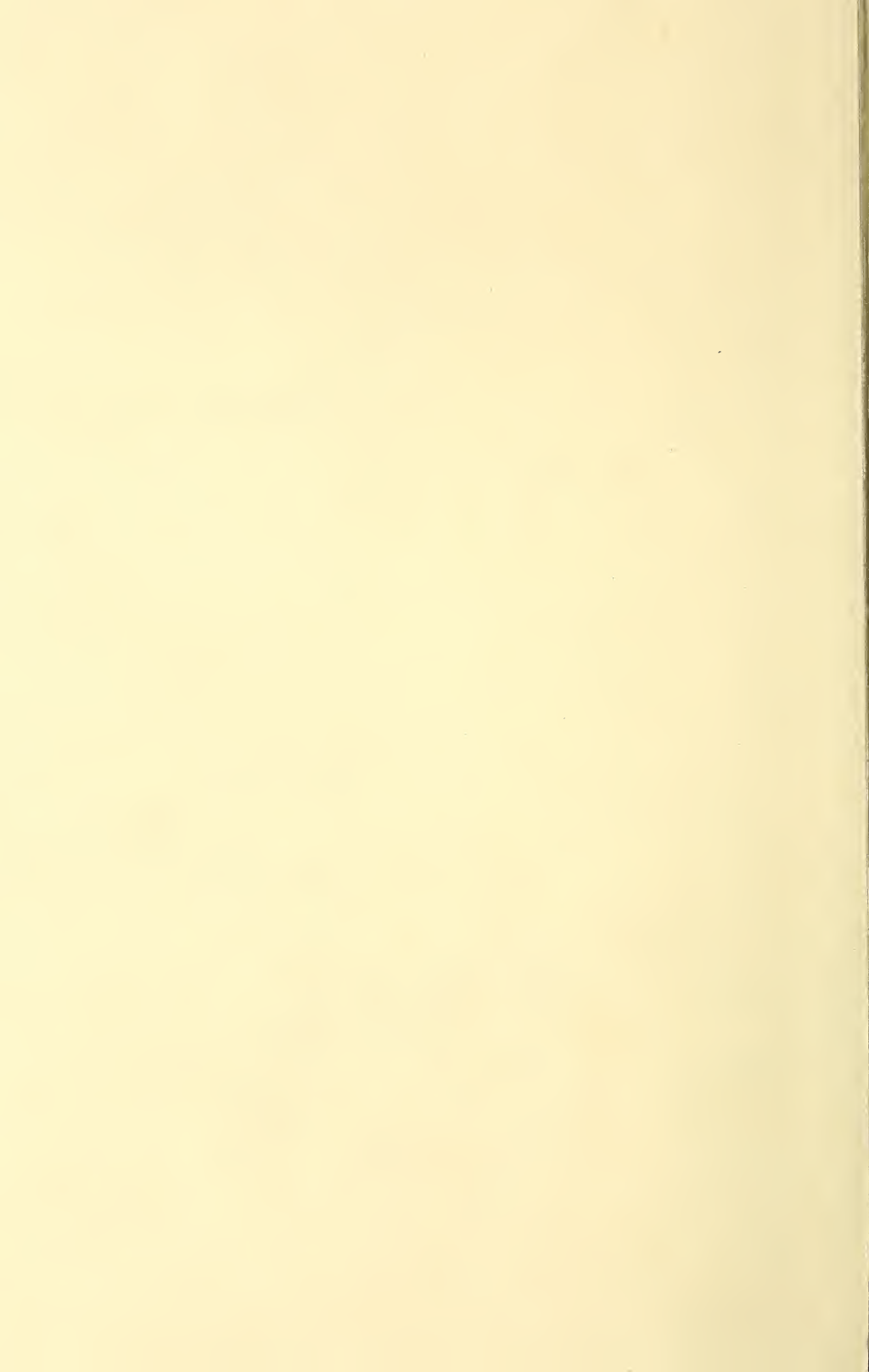


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## United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

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### SERVICE AND REGULATORY ANNOUNCEMENTS.

#### SUPPLEMENT.

N. J. 4651-4700.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., April 20, 1917.]

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#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**4651. Adulteration of oysters. U. S. \* \* \* v. 15 Cases and 5 Cans of Oysters. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7029. S. No. E-468.)

On October 28, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 15 cases and 5 cans of oysters, remaining unsold in the original unbroken packages at Worcester, Mass., alleging that the article had been shipped by the American Oyster Co., Providence, R. I., and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4652. Adulteration of oysters. U. S. \* \* \* v. 750 Pint Bottles and 5 Cans of Oysters. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7030. S. No. E-470.)

On October 27, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 750 pint bottles and 5 cans of oysters, remaining unsold in the original unbroken packages at Springfield, Mass., alleging that the article had been shipped by the American Oyster Co., Providence, R. I., and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4653. Adulteration of oysters. U. S. \* \* \* v. 4 Cases of Oysters. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7031. S. No. E-472.)

On October 29, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 4 cases of oysters, remaining unsold in the original unbroken packages at Holyoke, Mass., alleging that the article had been shipped by the American Oyster Co., Providence, R. I., and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On December 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4654. Adulteration of chestnuts. U. S. \* \* \* v. 7 Bags and 13 Bags  
\* \* \* of Chestnuts. Default decrees of condemnation, forfeiture,  
and destruction. (F. & D. No. 7033. I. S. No. 1555-1. S. No. E-460.)**

On November 1 and 3, 1915, respectively, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 7 bags and 13 bags, each containing approximately 60 pounds, of chestnuts, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on October 30, 1915, by Stevens Bros., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the chestnuts was alleged in the libels for the reason that they consisted in part of a filthy, decomposed, and moldy vegetable substance, infested with worms, which said filthy, decomposed, and moldy vegetable substance, infested with worms, rendered the chestnuts unfit for human food.

On November 23, 1915, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4655. Adulteration of oysters. U. S. \* \* \* v. 22 Cases and 5 Cans of Oysters. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7034. S. No. E-471.)

On October 28, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 22 cases and 5 cans of oysters, remaining unsold in the original unbroken packages at Springfield and Holyoke, Mass., alleging that the article had been shipped by the American Oyster Co., Providence, R. I., and transported from the State of Rhode Island into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4656. Adulteration of tomato purée. U. S. \* \* \* v. 200 Cases of Tomato Purée. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7037. I. S. No. 11418-1. S. No. C-388.)

On November 17, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 48 cans, of tomato purée, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about September 17, 1915, by the Owensboro Canning Co., Owensboro, Ky., and transported from the State of Kentucky into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled in part: "4 Doz. No. Blue Grass Tomato Purée." The cans were labeled, in part: "Tomato Purée or Pulp" (Design of red ripe tomato) "This package contains ripe tomato juice, condensed, especially suited for dressing Fish, Oysters, Meats, etc. Adapted to the making of home-made catsup. Contents about 9 ozs. \* \* \* Blue Grass Brand" (Picture bearing name Daniel Boone) "Trade Mark Owensboro Canning Co. Incorporated, Owensboro, Ky., U. S. A."

The allegations in the libel were to the effect that the article was adulterated in that it consisted, in whole or in part, of a decomposed vegetable substance.

On March 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4657. Adulteration and misbranding of "Duffy's Grape Juice." U. S. \* \* \*  
v. Vineland Grape Juice Co., a corporation. Plea of guilty. Fine, \$25.  
(F. & D. No. 7038. I. S. No. 1421-k.)**

On February 25, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Vineland Grape Juice Co., a corporation, Vineland, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 3, 1914, from the State of New Jersey into the State of New York, of a quantity of "Duffy's Grape Juice," which was adulterated and misbranded. The article was labeled: (Retail package) "Duffy's Grape Juice Sterilized 32 Oz." (Representation of a bunch of grapes) "Non-Alcoholic Duffy's 1842 Unfermented American Fruit Product Co. Rochester, N. Y. U. S. A." (Shipping package) "Duffy's Grape Juice Nonalcoholic American Fruit Product Co. Rochester, N. Y. U. S. A. Glass 12 Quarts 11629 8-5-2-."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 20° C/20° C.....	1.0815
Alcohol (per cent by volume).....	0.24
Extract (grams per 700 cc).....	21.31
Nonsugar solids (grams per 100 cc).....	2.31
Reducing sugar, as invert (grams per 100 cc).....	18.99
Sucrose, by copper and Clerget.....	Absent.
Total acidity, as tartaric (gram per 100 cc).....	0.79
Ash (gram per 100 cc).....	0.26
Total tartaric acid (gram per 100 cc).....	0.47
Free tartaric acid (gram per 100 cc).....	0.16
Cream of tartar (gram per 100 cc).....	0.31
Tartaric acid to alkaline earths (gram per 100 cc).....	0.06
Soluble alkalinity of ash (cc N/10 acid per 100 cc).....	16.6
Insoluble alkalinity of ash (cc N/10 acid per 100 cc).....	4.0
Polarization direct at 20° C, undiluted (°V.).....	-32.0
Polarization invert at 20° C, undiluted (°V).....	-32.0

From the analysis, taste, and appearance it is deduced that this product is a Concord grape juice to which water and sugar have been added.

Adulteration of the article was alleged in the information for the reason that water and sugar had been substituted in part for pure, unaltered grape juice, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "American Fruit Product Co. Rochester, N. Y. U. S. A.," was false and misleading in that it indicated to purchasers thereof that the article had been manufactured by the American Fruit Product Co., at Rochester, N. Y., United States of America, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it had been manufactured by the American Fruit Product Co., at Rochester, N. Y., United States of America, when, in truth and in fact, it had not, but had been manufactured by, to wit, the Vineland Grape Juice Co., at Vineland, N. J., United States of America. Misbranding was alleged for the further reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Duffy's Grape Juice \* \* \* Non-Alcoholic \* \* \* Unfer-

mented \* \* \*," was false and misleading in that it indicated to purchasers thereof that the article was pure, unaltered grape juice, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure, unaltered grape juice, when, in truth and in fact, it was not, but was, to wit, grape juice containing added water and sugar.

On March 20, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4658. Adulteration of chestnuts. U. S. \* \* \* v. 10 Bags \* \* \* of Chestnuts. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7045. I. S. No. 1556-I. S. No. E-456.)

On November 1, 1915, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 bags, each containing approximately 60 pounds, of chestnuts, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped on October 30, 1915, by Stevens Bros., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and moldy vegetable substance, infested with worms, which said filthy, decomposed, and moldy vegetable substance, infested with worms, rendered the article unfit for human food.

On November 23, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4659. Adulteration of chestnuts. U. S. \* \* \* v. 140 Barrels Chestnuts.**  
**Consent decree of condemnation and forfeiture. Product ordered re-**  
**leased on bond. (F. & D. No. 7049. I. S. No. 20232-1. S. No. W-76.)**

On November 19, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 barrels of chestnuts, more or less, consigned by Cuneo Bros., New York, N. Y., and remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed vegetable substance in that 48.5 per cent of the chestnuts were decayed, moldy, and wormy and the whole 140 barrels were more or less damp, moldy, and in bad condition.

On November 20, 1915, Garcia & Maginni Co., a corporation, San Francisco, Cal., claimant, having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceeding and the execution of bond in the sum of \$1,500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4660. Adulteration of chestnuts. U. S. \* \* \* v. 140 Barrels Chestnuts. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7050. I. S. No. 20223-1. S. No. W-77.)**

On November 19, 1915, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 barrels of chestnuts, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped by Descalzi Bros., New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed vegetable substance, in that 41.5 per cent of the chestnuts were decayed, moldy, and wormy, and the whole 140 barrels were damp, moldy, and in bad condition.

On November 20, 1915, Garbini Bros. & Co., a copartnership, San Francisco, Cal., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant concern upon payment of the costs of the proceeding and the execution of bond in the sum of \$1,500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4661. Adulteration and misbranding of balsam copaiba. U. S. v. H. R. Lathrop & Co. (Inc.), a corporation (trading as Stallman Import & Export Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7052. I. S. No. 9708-h.)

On February 18, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against H. R. Lathrop & Co. (Inc.), a corporation, trading under the name of Stallman Import & Export Co., New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on March 9, 1914, from the State of New York into the State of California, of a quantity of balsam copaiba which was adulterated and misbranded. The article was labeled, in part: (On shipping package) " \* \* \* Guaranteed by The Stallman Import Sales Co. under the Food & Drugs Act, June 30, 1906 Serial No. 31794 From Stallman Import Sales Co. New York—Balsam Copaiba U. S. P."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 25° C./25° C.-----	0.9905
Nonvolatile matter (per cent)-----	52.26
Gurjun balsam and paraffin oil-----	Absent.
Fixed oils-----	Absent.
Acid resins (cc of N/2 sodium hydroxid per gram)-----	3
Rotation of steam-distilled oil in 100 mm. tube (° V)-----	+8
Cadinene dihydrochlorate obtained from steam-distilled oil melts at-----	117.5° C.

Solubilities are U. S. P., except petroleum ether, which gives a milky suspension.

The dextro-rotation and the cadinene dihydrochlorate are characteristic of African copaiba.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation of the article, in that it was a product prepared, in whole or in part, from African balsam, whereas said Pharmacopœia provides as a test for copaiba that it shall be derived from one or more South American species of copaiba. Adulteration was alleged for the further reason that the strength and purity of the article fell below the professed standard or quality under which it was sold, in that it was invoiced and sold as balsam copaiba, U. S. P., a product prepared from one or more South American species of copaiba, whereas, in truth and in fact, it was not, but was a product prepared, in whole or in part, from African balsam.

Misbranding of the article was alleged for the reason that the statement, to wit, "Balsam Copaiba, U. S. P.," borne on the label thereof, regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was balsam copaiba, according to the standard described by the United States Pharmacopœia, whereas, in truth and in fact, it was not balsam copaiba according to said standard, which provides that copaiba shall be derived from one or more South American species of copaiba, but was a product prepared, in whole or in part, from African balsam.

On February 21, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4662. Adulteration and misbranding of cake flavor. U. S. \* \* \* v. M. Getz & Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 7056. I. S. No. 23217-h.)**

On February 25, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against M. Getz & Co., a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about July 30, 1914, from the State of California into the State of Washington, of a quantity of cake flavor which was adulterated and misbranded. The article was labeled: "The contents of this can Guaranteed Only The Purest of Spices Ground from the Finest Raw Material Obtainable Full Weight Cake Flavor. To be used instead of Mace Ground and Packed by M. Getz & Co. Inc. San Francisco, Cal."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	9.54
Total ether extract (per cent)-----	9.70
Volatile ether extract (per cent)-----	0.60
Nonvolatile ether extract (per cent)-----	9.10
Starch (acid hydrolysis) (per cent)-----	62.05
Protein (N×6.25) (per cent)-----	8.42
Ash (per cent)-----	0.82
Color: Turmeric.	

Tests for Bombay mace: Negative.

*Microscopical examination.*—Large amount of corn starch (considerable portion in aggregates), nutmeg tissue, and turmeric.

Adulteration of the article was alleged in the information for the reason that a cereal product containing starch had been mixed and packed therewith, so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that a cereal product containing starch had been substituted in part for pure spices, which the article purported to be, and for the further reason that the article was an inferior product, consisting principally of a cereal product containing starch, and was colored with, to wit, turmeric, in a manner whereby its inferiority to pure spices was concealed.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "The Contents of this can Guaranteed Only The Purest of Spices \* \* \* Ground from the Finest Raw Material Obtainable," was false and misleading in that it indicated to purchasers thereof that the article consisted wholly of the purest ground spices, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers thereof into the belief that it consisted wholly of the purest ground spices, when, in truth and in fact, it did not, but did consist of, to wit, principally a cereal product containing starch, artificially colored. Misbranding was alleged for the further reason that the article consisted principally of a cereal product containing starch, artificially colored, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, ground spices.

On March 10, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4663. Adulteration of tomato paste. U. S. \* \* \* v. 25 Cases Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7058. I. S. No. 2035-1. S. No. E-479.)**

On November 22, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, each containing 60 cans, of compound tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by George Roncoroni, Alloway, N. J., and transported from the State of New Jersey into the State of New York, the shipment having arrived on October 21 and October 27, 1915, and charging adulteration in violation of the Food and Drugs Act. The cases were branded: "60 cans No. 1 Compound Tomato Paste. Geo. Roncoroni, 148 Spring Street, New York 25 W Net Weight 14 oz." The retail packages were labeled: "Tomato Paste" (picture of tomatoes) "Red, Compound Tomato Paste Contents 75% Tomatoes, 10% Starch, 5% Salt, 10% Vegetable and artificial coloring. Alloway Pkg. Co. Alloway, N. J. Guaranteed by G. Roncoroni under the Food and Drugs Act, June 30, 1906. Serial No. 10788. Manufactured in the United States. Net Weight 14 oz." (Picture of man at table and waitress) "Trade Mark."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and moldy tomato paste.

On December 15, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4664. Adulteration of tomato paste. U. S. \* \* \* v. 30 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7061. I. S. No. 2037-I. S. No. E-482.)**

On November 22, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases, each containing 60 cans, of tomato paste, consigned by Luigi Vecchi, Hazlet, N. J., and remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped and transported from the State of New Jersey into the State of New York, the shipment having been received on or about October 29, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Parma Brand Conserva di Pomodoro Tomato Paste. This is the first concentrated tomato paste made in America—Best in the World. Parma. Luigi Vecchi Inc. New York. Factory Hazlet, N. J. Contents 15 oz. net. Guaranteed by Luigi Vecchi, Inc. Under the Food & Drugs Act, June 30, 1906. Serial No. 44720."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, decayed and moldy tomato paste.

On December 15, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4665. Adulteration of liquid eggs. U. S. \* \* \* v. Morris Brown. Plea of nolo contendere. Fine, \$50. (F. & D. No. 7063. I. S. No. 970-k.)

On February 19, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Morris Brown, Boston, Mass., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 20, 1915, from the State of Massachusetts into the State of Rhode Island, of a quantity of liquid eggs which were adulterated. The article was labeled, in part: (On shipping tag attached to can) "To M. Brown Butter, Cheese and Eggs Fresh, Broken and Frozen Eggs a Specialty 171 Fulton Street—Boston, Mass."

An examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Portion of sample.	Bacteria per gram.		<i>B. coli</i> per gram.
	Incubated at 37° C. for 2 days.	Incubated at 22° C. for 3 days.	Isolated.
Top of can.....	40,000,000	140,000,000	1,000,000
Midway between top and center of can.....	38,000,000	110,000,000	1,000,000
Center of can.....	70,000,000	200,000,000	1,000,000

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy and decomposed animal substance.

On May 3, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4666. Adulteration of oysters. U. S. v. Jacob Riehl. Plea of guilty. Fine, \$10.**  
(F. & D. No. 7067. I. S. No. 3439-1.)

On February 17, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture filed in the police court of the District aforesaid an information against Jacob Riehl, Washington, D. C., alleging the sale by said defendant, in violation of the Food and Drugs Act, on December 15, 1915, in the District aforesaid, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Liquor (per cent)-----	44.10
Meats (per cent)-----	55.90
<i>Meats:</i>	
Loss on boiling (per cent)-----	51.60
Solids (per cent)-----	15.91
Ash (per cent)-----	0.92
Chlorids, as NaCl, in meats (per cent)-----	0.06
Chlorids, as NaCl, in liquor (per cent)-----	0.28

These results show the substitution of a material amount of water for oysters.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and for the further reason that a certain substance, to wit, water, had been substituted in part for oysters, which the article purported to be.

On February 17, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4667. Adulteration and misbranding of oil cassia. U. S. v. Hymes Bros. Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7068. I. S. No. 28032-h.)**

On March 6, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hymes Bros. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on March 20, 1914, from the State of New York into the State of Tennessee, of a quantity of oil cassia which was adulterated and misbranded. The article was labeled: "Trade Mark Purity Quality Excellence Oil Cassia Extra Strong Hymes Bros. Co. Importers and Manufacturers New York Guaranteed by Hymes Bros. Co. U. S. Serial No. 18750. Guaranteed under the Food and Drugs Act, June 30, 1906." (On sticker) "Net 2 Lbs."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 25° C./15.6° C.-----	1.062
Rotation in 100 mm. tube at 26° C. (°V.)-----	+21
Color: Dark red.	
Soluble in two parts of 70 per cent alcohol.	
Becomes solid when shaken with a saturated solution of sodium sulphite.	
Becomes dark brown when treated with a solution of hydrogen sulphid.	
Cinnamic aldehyde (per cent)-----	70.5
Residue of oil was thick and muddy.	
Refractive index at 26° C.-----	1.5955
Test for colophony:	
Residue after distillation (per cent)-----	18.5
Residue was hard and brittle.	
Material distilling between 100° C. and 240° C. (per cent)-----	4
Rotation of distillate between 240° C. and 280° C. (°V.)-----	+2
Lead (parts per million)-----	995
Product was a mixture of oil of cassia and rosin and contained lead.	

Adulteration of the article considered as a drug was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that the specific gravity of said drug at 25° C. was above 1.055, and was, in fact, 1.062, whereas, said Pharmacopœia provides as a test for oil of cassia that the specific gravity at 25° C. shall be between 1.045 and 1.055; the rotation of said drug was more than 1° and was, in fact, 21°, whereas, said Pharmacopœia provides that the rotation of said drug shall not be more than 1°; said drug contained 70.5 per centum of cinnamic aldehyde, whereas, said Pharmacopœia provides that it should contain not less than 75 per centum; and said drug contained lead, which is not an ingredient of oil of cassia as determined by the test laid down in said Pharmacopœia.

Adulteration of the article considered as a food was alleged for the reason that a substance, to wit, lead, had been mixed and packed therewith so as



to reduce or lower and injuriously affect its quality and strength, and had been substituted, in part, for pure oil of cassia, which the article purported to be; and for the further reason that the said article contained an added poisonous and deleterious ingredient, to wit, lead, which might render it injurious to health.

Misbranding of the article considered as a drug was alleged for the reason that the statement, to wit, "Oil Cassia," regarding it and the ingredients and substance contained therein was false and misleading in that it indicated that said drug was a pure oil of cassia, which is well known to be a drug distillate from cassia and cinnamon, and entirely free from lead, whereas, in truth and in fact, said drug was not a pure oil of cassia, but was an oil of cassia which contained lead.

Misbranding of the article considered as a food was alleged for the reason that the statement, to wit, "Oil Cassia Extra Strong," regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was pure oil of cassia, and further for the reason that the article was labeled "Oil Cassia Extra Strong," so as to deceive and mislead purchasers into the belief that it was pure oil of cassia, whereas, in truth and in fact, it was not, but was a mixture composed of oil of cassia and lead.

On March 24, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4668. Adulteration of sweetened condensed skimmed milk. U. S. \* \* \* v. 15 Cases \* \* \* of Sweetened Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7070. I. S. Nos. 3521-1, 3523-1. S. No. E-486.)

On November 24, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 cases, each containing 48 cans, of sweetened condensed [skimmed] milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about November 16, 1915, by the P. E. Sharpless Co., Philadelphia, Pa., and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "Four dozen \* \* \* Sweetened Condensed Skimmed Milk P. E. Sharpless Co., Phila. Pa., \* \* \* for manufacturing purposes only \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, filthy condensed [skimmed] milk.

On December 15, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4669. Adulteration of canned tomatoes. U. S. \* \* \* v. William Miller et al. (Miller Bros. & Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7071. I. S. No. 25819-h.)**

On March 22, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Miller and Emanuel H. Miller, copartners, trading as Miller Bros. & Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about July 18, 1914, from the State of Maryland into the State of Pennsylvania, of a quantity of canned tomatoes which were adulterated. The article was labeled: "Jumbo Brand" (Picture of elephant's head in a circle with the words;) "Trade Mark Registered U. S. Pat. Off." (On another part of the label was a picture of a red tomato in a circle with the words) "Contents 2 lbs. Established 1864. Miller Bros. & Co., Baltimore, Md. Distributors."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results on the filtered juice:

Immersion refractometer at 20° C.:

Can 1.....	29.2
Can 2.....	32.2
Can 3.....	30.6
Can 4.....	28.5
Can 5.....	29.2
Can 6.....	30.6
<hr/>	
Average.....	29.9
Composite sample.....	29.9
<hr/>	
Total solids (per cent).....	3.72
Total ash (per cent).....	0.41
Total chlorids, as NaCl (per cent).....	0.05
Salt-free ash (per cent).....	0.36
Total acids, as citric (per cent).....	0.30
Total sugars, as invert (per cent).....	2.12

The product contains added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted, in whole or in part, for tomatoes, which the article purported to be.

On March 22, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4670. Adulteration and misbranding of chocolate flavored icing paste. U. S. \* \* \* v. Joseph Lowe et al. (Joe Lowe Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7075. I. S. No. 963-k.)

At the March, 1916, term of the District Court of the United States for the Eastern District of New York, the United States attorney within and for said district, acting upon a report by the Secretary of Agriculture, filed in the district court aforesaid an information against Joseph Lowe and Lewis Price, trading as Joe Lowe Co., Brooklyn, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs act, on or about January 5, 1915, from the State of New York into the State of Massachusetts, of a quantity of chocolate flavored icing paste which was adulterated and misbranded. The article was labeled: "Chocolate Flavored Icing Paste Made in any flavor Flavor and Color combined with corn syrup and simple syrup. Gives a rich fruity flavor & color also producing a fine gloss to icings for cake and marshmallow work. Use it in the batter. Better than an extract. Will not bake out." (Guaranty) "Joe Lowe Co., 29492. Joe Lowe Co., Bush Terminal Bldg., No. 6, Brooklyn, N. Y. Contents Net 100 lbs."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	14.26
Reducing sugar, before inversion (per cent)-----	41.20
Polarizations:	
20° C. before inversion (°V.)-----	+103.80
20° C. after inversion (°V.)-----	+ 89.50
87° C. after inversion (°V.)-----	+ 82.00
Sucrose (Clerget) (per cent)-----	10.80
Glucose (commercial) (per cent)-----	50.30
Ether extract (per cent)-----	2.83
Crude fiber (per cent)-----	1.17
Total ash (per cent)-----	1.70
Insoluble ash (per cent)-----	0.95
Soluble ash (per cent)-----	0.75
Alkalinity of insoluble ash (cc N/10 acid per 100 grams) _	110.80
Alkalinity of soluble ash (cc N/10 acid per 100 grams) _	13.80
Color: Mixture of coal-tar dyes, which react like Orange I, Aamaranth, and Indigo disulfoacid.	

At least 75 per cent of the total color in this product is due to coal-tar dyes.

Adulteration of the article was alleged in the information for the reason that it was an inferior product containing an insignificant amount of chocolate, and was colored with, to wit, coal-tar dyes, in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein appearing on the label aforesaid, to wit, "Chocolate Flavored Icing Paste \* \* \* Flavor and Color combined with corn syrup and simple syrup," was false and misleading in that, among other things, it indicated to purchasers that the article was icing paste in which the color was produced wholly by the chocolate therein, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was icing paste in which the color was produced wholly by the chocolate therein, when, in truth and in fact, it was not, but was, to wit, icing paste artificially colored with coal-tar dyes in imitation of chocolate and containing an insignificant

\*amount of chocolate. Misbranding was alleged for the further reason that the article was an icing paste made from simple sirup, corn sirup, and an insignificant amount of chocolate, artificially colored with coal-tar dyes, and was an imitation of another article, to wit, icing paste in which the color was produced solely by the chocolate therein.

On April 1, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4671. Adulteration of shell eggs. U. S. \* \* \* v. Beatrice Cold Storage Co.  
Plea of guilty. Fine, \$50. (F. & D. No. 7077. I. S. No. 1443-k.)

On March 21, 1916, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Beatrice Cold Storage Co., a corporation, Beatrice, Nebr., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 25, 1915, from the State of Nebraska into the State of New York, of a quantity of shell eggs which were adulterated.

Examination of a crate of 360 eggs by the Bureau of Chemistry, of this department, showed the following results:

Spots -----	91
Rots -----	144
Passable eggs -----	97
Weak eggs -----	24
Broken eggs -----	4

The eggs appeared to be old storage eggs, and not a single egg in the lot could be considered first class.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid animal substance.

On May 26, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4672. Adulteration of liquid eggs. U. S. \* \* \* v. 20 Barrels of Liquid Eggs.  
Default decree of condemnation, forfeiture, and destruction. (F. & D.  
No. 7078. S. No. E-487.)**

On November 26, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 barrels of liquid eggs, consigned by the Baltic Chemical Co., Mt. Vernon, N. Y., and remaining unsold in the original unbroken packages at Mount Vernon, N. Y., alleging that the article was intended for export to a foreign country, and charging adulteration in violation of the Food and Drugs Act. The product was labeled: (On shipping tag) "Baltic Chemical Company, Montreal, Canada."

Adulteration of the article was alleged in the libel for the reason that it contained added deleterious ingredients which rendered the same injurious to health, to wit, boracic acid, and for the further reason that said article consisted, in whole or in part, of a filthy, decomposed, or putrid animal substance, to wit, rotten and spotted eggs.

On December 15, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4673. Misbranding of "Dr. D. Kennedy's Favorite Remedy." U. S. v. Dr. David Kennedy Co., a corporation, trading as Dr. David Kennedy's Sons. Plea of guilty. Fine, \$50. (F. & D. No. 7079. I. S. No. 9594-h.)**

On April 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. David Kennedy Co., a corporation, trading as Dr. David Kennedy's Sons, Rondout, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on February 28, 1914, from the State of New York into the State of Connecticut, of a quantity of "Dr. D. Kennedy's Favorite Remedy," which was misbranded. The article was labeled: (On carton, front) "Net 10 ozs. Dr. D. Kennedy's Favorite Remedy. Contains 18.4% Alcohol. A Medicine for Purifying the Blood, Restoring the Disordered Liver to a healthy condition, and correcting the worst cases of Habitual Constipation of the Bowels. It is a valuable remedy for the Diseases and Weaknesses peculiar to Females, and affords great protection from attacks that originate in Change of Life, of seasons, and of climate. For Scrofula and all Scrofulous Affections, Eruptive and Cutaneous Diseases, Pain in the Bones, Suppurative or Mercurial Diseases, Rheumatism, Dyspepsia, Ulceration of the Kidneys and Bladder; Gravel, Diabetes, and all Urinary Deposits, indeed all disorders arising from an impure state of the Blood; It is certainly one of the best Alterative Medicines ever offered to the public for restoring tone and strength to the system which has been Debilitated by Disease. Price One Dollar. Directions on Inside Wrapper. Dr. David Kennedy Co., Rondout, N. Y. U. S. A." (Back of carton, same as front, except that "Net 10 ozs.," does not appear.) (Sides) "Favorite Remedy, for the Blood and Liver." "Discovery of Dr. D. Kennedy, of Rondout, City of Kingston, N. Y." (Top flap) "Dr. David Kennedy's Salt Rheum Cream. Be sure you get Salt Rheum cream, not Salt Rheum Ointment. Best in the world for Salt Rheum, Scald Head, Erysipelas, Scrofulous Ulcers, Tetter, Dandruff, Ringworm, Cuts, Bruises, Burns, etc. Price 50 cts. a jar. This outside wrapping adopted 1902." (Sticker on top flap) "Dr. David Kennedy's Genuine Preparations. D. Kennedy M. D. Rondout, N. Y. Rondout, N. Y." (Cut of building bearing sign on front) "1875 Established Dr. D. Kennedy's Favorite Remedy." (Bottom flaps) "Dr. David Kennedy's Golden Drops. Internal and external remedy, affording instant relief in Cholera Morbus, Cramps and in all bowel and stomach troubles—also for Neuralgia, Rheumatism, Bruises, Burns, etc. Price 25 and 50 cts. per bottle. Dr. David Kennedy's Worm Syrup. Most effective medicine of the kind known. Price 25 cts. per bottle. Use Dr. David Kennedy's Golden Plasters. They are porous, strengthen the muscles, remove pain from all parts of the body, especially useful over the back, kidneys and liver. The best plaster made. Price 15 cts. each. Dr. David Kennedy's Rose Jelly. For the Radical cure of Catarrh, Hay Fever, Cold in the head, etc. Price 50 cts. per bottle. Dr. David Kennedy's Magic Eye Salve. For all diseases of the eye. Granulations or affections of the Lids, inflammation or weakness of any cause." (On bottle) "Dr. D. Kennedy's Favorite Remedy. Contains 18.4% Alcohol. A Medicine for Purifying the Blood and restoring the Disordered Liver to a healthy condition, and most effectually correcting Habitual Constipation of the Bowels. It is a valuable remedy for the Diseases and Weaknesses peculiar to Females, and affords great protection from attacks that originate in Change of Life, of Season and of Climate. Used for Scrofula and all Scrofulous Affections, Eruptive and Cutaneous Diseases, such as St. Anthony's Fire, Rose or Erysipelas, Pustules, Tetter or Salt Rheum, Pimples, Boils, Blotches, Scald Head, Ringworm, Ulcers and Sores, Tumors, Pain in the Bones, Syphilitic and Mercurial



Diseases, Rheumatism, Dyspepsia, Ulceration of the Kidneys and Bladder, Gravel, Diabetes, and all Urinary Deposits, and indeed for all disorders arising from an impure state of the blood; and it is beyond doubt one of the best Alterative Medicines ever offered to the Public for restoring Tone and Strength to the system that has been Debilitated by Disease. Price, \$1.00. Fac-Simile Signature of the Discoverer D. Kennedy M. D. No. 943 Guaranteed under U. S. Food and Drugs Act, June 30, 1906 Dr. David Kennedy's Sons, Rondout, N. Y. Directions for Using Dr. David Kennedy's Favorite Remedy. Dose for an adult—One teaspoonful three times a day, half hour after breakfast, dinner, and upon going to bed. Dose for a delicate person—half to a teaspoonful twice a day. Dose for a child, ten to fifteen—half teaspoonful twice a day. Dose for infants, one to two—three to ten drops twice a day. Always dilute in three times the quantity of sweet milk, or hot water. It should operate on the bowels once or twice a day. If it acts too strongly on the bowels lessen the dose and take it in sweet milk if agreeable, if not, take clear Favorite Remedy, drinking cold water after, returning to the full dose, as soon as the bowels permit. In severe cases of constipation, increase dose and take it in one-half glass hot water. Use faithfully." (Same directions in German) "David Kennedy, M. D. For more full directions see page 31 of book wrapped around bottle. Contains 18.4% of the purest grain alcohol." The booklet accompanying the article contained, among other things, the following: "Dr. David Kennedy's Preparations (we give list of ingredients upon request) Favorite Remedy Price \$1.00 Used successfully in Kidney, Liver and Blood disorders: Gravel Stone, Inflammation of the Bladder, Scrofula and all Blood Humors." "Dr. Kennedy's Favorite Remedy leads the list of advertised remedies for Constipation. We believe no other medicine can produce the same results with a like degree of satisfaction. The most obstinate cases of constipation, and the many disorders that follow in its train, such as Biliousness, Dyspepsia, Headache, Cerebral Congestion, Disordered Stomach, Piles, Female Irregularities, Low Spirits, Kidney and Bladder Troubles, etc., are wonderfully relieved by its timely use." "For all diseases of the Kidneys, Dr. Kennedy's Favorite Remedy is most helpful." "Dr. Kennedy's Favorite Remedy is highly recommended for all diseases of the Kidneys." "Uraemia Symptoms: Headache, drowsiness, Nausea, vomiting, impaired vision, specks before the eyes, shortness of breath, suppression of urine, dizziness, irregular heart, convulsions, delirium, coma, or insensibility. The whole body is saturated with a poisonous by-product of digestion called urea that is formed in the glands, in dropsical effusions of the blood, and in the perspiration. As this is also one of the effects of faulty digestion, one of the best treatments obtainable is the use of Dr. Kennedy's Favorite Remedy." "Favorite Remedy for all kidney disorders." "Dr. Kennedy's Favorite Remedy is of the greatest value in the treatment of various blood and skin diseases, such as Salt Rheum, Scrofula, Ulcers, Scald Head, Erysipelas, Fever Sores, Pimples, Boils, Carbuncles, Ulcerated Sore Legs, and many other forms of skin troubles." "Malaria—Death in the Breeze. The best medicine with which it can be successfully combated is Dr. Kennedy's Favorite Remedy." "Favorite Remedy is the best preventive of Chills and Malarial Fever you can use." "In the treatment of Scrofulous Ulcers, Sores, Glandular Swellings, and various forms of Eczema, its remedial power is far beyond that of any other advertised preparation. It is not merely for temporary relief, but, by its action in purifying the blood, may truly be said to strike at the roots of blood diseases." "Scrofula, Erysipelas, Fever Sores, Measles, Ulcers and other Blood Disorders are all caused by impure blood, for the removal of which Dr. Kennedy's Favorite Remedy is so highly recommended." "Milk or White Leg.—This disease is an

exceedingly painful inflammation and swelling of one or more of the lower limbs. The Favorite Remedy may be used with great satisfaction." "For Affections of the Kidneys, such as Diabetes, Dropsy, Ulceration, Degeneration, Wasting Away, Enlargement, Inflammation, and all conditions of the Kidneys and Bladder, the safe and positive remedy is Favorite Remedy."

Analyses of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	18.00
Nonvolatile matter (per cent)-----	59.10
Ash (per cent)-----	1.27
Sucrose (per cent)-----	48.90
Potassium acetate (grams per 100 cc)-----	4.15
Methyl salicylate, aloes, licorice, and oil of sassafras: Present.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Dr. D. Kennedy's Favorite Remedy. \* \* \* for \* \* \* correcting the worst cases of Habitual Constipation of the Bowels. It is a valuable remedy for the diseases and weaknesses peculiar to females and affords great protection from attacks that originate in Change of Life, of seasons, and of climate. For Scrofula and all Scrofulous Affections, Eruptive and Cutaneous Diseases \* \* \* Suppurative or Mercurial Diseases, Rheumatism, Dyspepsia, Ulceration of the Kidneys and Bladder; Gravel, Diabetes, and all Urinary Deposits, indeed all disorders arising from an impure state of the blood \* \* \*," (On bottle) "Dr. D. Kennedy's Favorite Remedy \* \* \* for \* \* \* most effectually correcting Habitual Constipation of the Bowels \* \* \* Used for Scrofula and all Scrofulous Affections, Eruptive and Cutaneous Diseases, such as St. Anthony's Fire, Rose or Erysipelas, Pustules, Tetters or Salt Rheum \* \* \* Ring Worm, Ulcers \* \* \* Tumors \* \* \* Syphilitic and Mercurial Diseases \* \* \*," and included in the booklet aforesaid, to wit, "Dr. David Kennedy's Preparations \* \* \* Favorite Remedy \* \* \* Used successfully in \* \* \* Inflammation of the Bladder \* \* \* and all Blood Humors," " \* \* \* Piles \* \* \* are wonderfully relieved by its timely use," "For all diseases of the Kidneys, Dr. Kennedy's Favorite Remedy is most helpful," "Dr. Kennedy's Favorite Remedy is highly recommended for all diseases of the Kidneys," "Uraemia \* \* \* one of the best treatments obtainable is the use of Dr. Kennedy's Favorite Remedy," "Favorite Remedy for all kidney disorders," "Dr. Kennedy's Favorite Remedy is of the greatest value in the treatment of \* \* \* Carbuncles \* \* \*," "Malaria—Death in the Breeze—The best medicine with which it can be successfully combatted is Dr. Kennedy's Favorite Remedy \* \* \*," "Favorite Remedy is the best preventive of Chills and Malarial Fever you can use," "\* \* \* Measles \* \* \* for the removal of which Dr. Kennedy's Favorite Remedy is so highly recommended," "Milk or White Leg \* \* \* The Favorite Remedy may be used with great satisfaction," "For Affections of the Kidneys, such as \* \* \* Degeneration, Wasting Away, Enlargement, Inflammation \* \* \* the safe and positive remedy is Favorite Remedy," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, for correcting the worst cases of habitual constipation of the bowels, as a valuable

remedy for the diseases and weaknesses peculiar to females, effective to afford protection from attacks that originate in change of life, of seasons, and of climate; as a remedy for scrofula and all scrofulous affections, eruptive and cutaneous diseases, suppurative and mercurial diseases, rheumatism, dyspepsia, ulceration of the kidneys and bladder, gravel, diabetes, and all urinary deposits; for all disorders arising from an impure state of the blood; as a cure for all cases of habitual constipation of the bowels; as a remedy for St. Anthony's fire, rose or erysipelas, pustules, tetter or salt rheum, boils, ring worms, ulcers, tumors, and syphilitic diseases; for inflammation of the bladder and all blood humors; as a relief for piles; as a remedy for all diseases of the kidneys; for uremia and all kidney disorders; for carbuncles and malaria; as a preventive of chills and malarial fever; effective to strike at the roots of blood diseases, and effective as a remedy for measles and milk leg; for degeneration of the kidneys, wasting away of the kidneys, enlargement of the kidneys, and inflammation of the kidneys, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On May 4, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4674. Adulteration of raisins. U. S. v. Wood & Selick Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7080. I. S. No. 1495-h.)**

On February 18, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Wood & Selick Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and and Drugs Act, on April 17, 1914, from the State of New York into the State of Maryland, of a quantity of raisins which were adulterated. The article was labeled: "Recleaned California Thompson's Seedless Raisins. Packed by Bonner Packing Co., Fresno, Cal."

Examination of a sample of the article by the Bureau of Chemistry of this department showed it to be covered with excreta; some pupa cases and live larvæ were present. The raisins were unfit for food at the time of examination.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy and decomposed vegetable substance.

On March 24, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4675. Misbranding of acid acetylo salicylic tablets. U. S. \* \* \* v. 68 Cartons Acid Acetylo Salicylic Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7081. I. S. No. 10526-1. S. No. C-394.)**

On November 29, 1915, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 68 cartons, each containing 1,000 compressed 5-grain acid acetylo salicylic tablets, remaining unsold in the original unbroken packages at St. Paul, Minn., alleging that the article had been shipped on November 22, 1915, by Irving H. Annis, Omaha, Nebr., and transported from the State of Nebraska into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "1,000 compressed tablets Acid Acetylo Salicylic 5 grains. These tablets are guaranteed as to purity and weight, and made in U. S. A. from product manufactured by Chemische Fabrik von Heyden, A. G. Radebeul, near Dresden, Germany. Each tablet contains 5 grains acid acetylo salicylic and excepient qs."

Misbranding of the article was alleged in the libel for the reason that it did not contain any acetylo salicylic acid.

On April 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4676. Misbranding of "Our Standard Remedy." U. S. \* \* \* v. S. Donovan Swan (Standard Medical Society). Plea of nolo contendere. Fine, \$15. (F. & D. No. 7084. I. S. No. 1740-k.)

On April 17, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against S. Donovan Swan, trading as the Standard Medical Society, Baltimore Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about December 5, 1914, from the State of Maryland into the State of New York, of a quantity of an article called "Our Standard Remedy," which was misbranded. The article was labeled: (On carton) "Our Standard Remedy. Recommended for the Blood, Liver, and Kidney. Perfectly Harmless. Most satisfactory in its Results. A Vegetable Preparation. For all Diseases Arising from Impure Blood. Recommended for Scrofula, Rheumatism, Liver Complaint, Kidney Disorder, Sick and Nervous Headaches, Neuralgia, Dyspepsia, Indigestion, Chills and Fever, Erysipelas, Malaria, Nervous Affections, Female Diseases, Catarrh, etc., etc. Directions for Use: The first dose for adult should be three tablets at bedtime to start the bile from the liver and remove it from the stomach. After this take one tablet each night on going to bed. Treatment is the same in all cases except chills, Malaria, etc., which require three tablets the first night, two on the next, and thereafter only one tablet at a time. For children, according to age. If tablets are cut give them in preserves, scraped apple, etc. 51 Doses. Guaranteed by The Standard Medical Society under the Pure Food and Drugs Act, June 30, 1906. Serial No. 1676. The proprietary or Patent Medicine Act, of Canada, registered number 1705. The Standard Medical Society Proprietors, Baltimore, Maryland."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the tablets contained rhubarb, senna, scoparius, licorice, capsicum, and some ammonia compound; aloes, also, indicated.

Misbranding of the article was alleged in the information for the reason that the following statements and devices regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "Our Standard Remedy A Vegetable Preparation for all Diseases Arising from Impure Blood Recommended for Scrofula, Rheumatism, \* \* \* Kidney Disorder, \* \* \* Neuralgia, Dyspepsia, Indigestion, \* \* \* Chills and Fever, Erysipelas, Malaria, \* \* \* Female Diseases, Catarrh, \* \* \*," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all diseases arising from impure blood, scrofula, rheumatism, kidney disorders, neuralgia, dyspepsia, indigestion, chills and fever, erysipelas, malaria, female diseases, and catarrh, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On April 17, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4677. Misbranding of acetylo salicylic acid tablets. U. S. \* \* \* v. 1 Box**  
**\* \* \* Acetylo Salicylic Acid Tablets. Default decree of condemna-**  
**tion, forfeiture, and destruction. (F. & D. No. 7085. I. S. No. 11534-I.**  
**S. No. C-396.)**

On November 30, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one box containing 100,000 imitation acetylo salicylic acid tablets, remaining unsold in the original unbroken package at Chicago, Ill., alleging that the article had been shipped on November 13, 1915, by F. R. Rigrish, Martinsville, Ind., and transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act.

Misbranding of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it was an imitation of an article of drugs known as acetylo salicylic acid, a substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of man, in that the article of drugs aforesaid contained little or no acetylo salicylic acid. Misbranding was alleged for the further reason that the article was a substance or mixture of substances intended to be used for the cure, mitigation, or prevention of disease of man, and contained an article of drug known as acetanilid, the quantity or proportion of which said article of drug known as acetanilid was not stated upon the label or package containing the imitation acetylo salicylic acid.

On January 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4678. Adulteration of chestnuts. U. S. \* \* \* v. 8 Bags of Chestnuts. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7087. I. S. No. 3715-1. S. No. E-484.)

On or about November 11, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 8 bags of chestnuts, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by J. H. Dashields, Baltimore, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal [vegetable] substance.

On December 3, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4670. Adulteration of tomato paste. U. S. \* \* \* v. 50 Cases Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7088. I. S. No. 2036-I. S. No. E-485.)**

On December 2, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 60 cans, of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about November 2, 1915, by George Roncoroni, Alloway, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The shipping cases were branded, in part: "5 doz. No. Tomato Paste. Packed for Geo. Roncoroni, 148 Spring St., New York. Net weight 14 oz." The retail packages were labeled: "Tomato Paste" (Picture of tomato) "Roncoroni Red—Made from Whole Tomatoes and peelings. Direzione \* \* \* Directions \* \* \* G. Roncoroni, 148 Spring St., N. Y. Distributor. Manufactured in United States. Net weight 14 oz." (Picture of man and waitress at table, talking.) "Trade Mark."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, moldy, decayed tomato.

On December 21, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4689. **Adulteration of sardines. U. S. \* \* \* v. 225 Cases \* \* \* Sardines. Consent decree of condemnation and forfeiture. Product ordered destroyed.** (F. & D No. 7089. I. S. No. 11256-1, 11261-1. S. No. C-397.)

On December 2, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 225 cases, each containing 100 cans, of sardines, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped, on or about July 12, 1915, by the North Lubec Manufacturing & Canning Co., North Lubec, Me., and transported from the State of Maine into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The shipping cases were labeled: "Dirigo Brand  $\frac{1}{2}$  Oil Sardines 100." The cans were labeled: "Contents  $3\frac{1}{4}$  Avoir. Ozs. Dirigo Brand American Sardines in Cottonseed Oil."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of decomposed animal matter, the presence of which in such sardines rendered the same a filthy and decomposed animal substance.

On February 11, 1916, the said North Lubec Manufacturing & Canning Co., North Lubec, Me., having consented to the entry of a decree, and having withdrawn its answer to the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that the costs of the proceedings should be paid by said North Lubec Manufacturing and Canning Co.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4681. Adulteration of canned pork and beans. U. S. \* \* \* v. 50 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7090. I. S. No. 11421-I. S. No. C-398.)**

On December 11, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 48 cans, of pork and beans, remaining unsold in the original, unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about September 11, 1915, by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "Princess Brand Pork and Beans with Tomato Sauce Packed for F. Goebel & Sons Gro. Co., St. Louis, Mo." The cans were labeled: "Princess Brand Beans and Pork Distributed by F. Goebel & Sons Grocer Co., St. Louis, Mo." (Design of dish of pork and beans) "Contents 11 oz." (Monogram F G & Sons G Co) "Princess" Design of princess) "Brand. F. Goebel & Sons Grocer Co. Exclusive Wholesale Distributors St. Louis, Mo."

The allegations in the libel were to the effect that the article was adulterated in that it consisted of a partially decomposed animal and vegetable substance, and was unfit for use as food within the meaning of the Food and Drugs Act.

On March 9, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4682. Adulteration of canned pork and beans. U. S. \* \* \* v. 50 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7091. I. S. No. 11786-1. S. No. C-399.)**

On December 2, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 24 cans, of pork and beans, remaining unsold in the original, unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about November 12, 1915, by the Gibson Canning Co., Gibson City, Ill., and transported from the State of Illinois into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: (Pastor label) "Superior Brand Pork and Beans with Tomato Sauce" (Design of butler and plate of pork and beans) "Contents 2 lbs. Louis Maull Cheese & Fish Co. Distributors St. Louis, Mo." (Top of case) "Louis Maull Cheese & Fish Co., St. Louis, Mo." The cans were labeled: "Superior Brand Pork and Beans with Tomato Sauce" (Design of butler and plate of pork and beans) "Contents 2 lbs. L. Maull Cheese & Fish Co. Distributors St. Louis, Mo."

Adulteration of the article was alleged in the libel for the reason that it consisted of a partially decomposed vegetable substance, and was unfit for use as food within the meaning of the Food and Drugs Act.

On March 9, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4653. Adulteration of tomato paste. U. S. \* \* \* v. 21 Cases and 1 Keg of Tomato Paste. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7096. I. S. No. 2041-1. S. No. 2-494.)

On December 4, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 21 cases and 1 keg of tomato paste, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about November 15, 1915, by Luigi Vecchi, Hazlet, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The small cans contained in the cases were labeled: "Estratto di Pomodoro Tomato Paste" (Star) "Louis Vecchi, Parma New York." (Guaranty legend, Serial No. 44720) "Made in Parma, Italy. Packed in Hazlet, N. J." The large cans were labeled, in part: (Picture of girl with basket of tomatoes) "Parma Brand" (Scene) "Conserva di Pomodoro Tomato Paste. \* \* \* Parma Luigi Vecchi Inc. New York Factory Hazlet, N. J. Contents 15 oz. net." (Guaranty legend.)

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, moldy decayed tomato.

On December 29, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4684. Adulteration of canned pork and beans. U. S. \* \* \* v. 140 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7098. I. S. No. 10489-1. S. No. C-404.)**

On December 4, 1915, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 140 cases, each containing 48 cans, of pork and beans, remaining unsold in the original unbroken packages at St. Louis, Mo., alleging that the article had been shipped, on or about October 12, 1915, by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. The cases and cans were labeled: "Pilot Brand. Beans and Pork with Sauce. Contains 1/10 of 1% Benzoate of Soda Distributed by Haas-Lieber Grocery Co., St. Louis, Mo. Contents 9 oz. Distributed by Haas-Lieber Grocery Co., St. Louis, Mo. Pilot Brand." (On one side of the cans was a design of a dish of pork and beans, on the other side of cans a design of a pilot.)

Adulteration of the article was alleged in the libel for the reason that it consisted of a partially decomposed vegetable substance, and was unfit for use as food within the meaning of the Food and Drugs Act.

On March 9, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4685. Adulteration of walnuts. U. S. \* \* \* v. 4 Cases \* \* \* Walnuts.  
Default decree of condemnation, forfeiture, and destruction. (F. & D.  
No. 7100. I. S. No. 1637-I. S. No. E-493.)**

On December 6, 1915, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 sacks, more or less, each containing approximately 100 pounds, of walnuts, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by W. R. Grace & Co., New York, N. Y., and transported from the State of New York into the State of Pennsylvania, shipment having been received on or about October 30, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was branded: "W I R G H N Kilos 49 Net Montagna Italy."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, or putrid vegetable substance, more than 34 per cent of the walnuts being moldy and wormy.

On February 1, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4686. Adulteration and misbranding of acetylsalicylic acid. U. S. \* \* \* v. 1 Case \* \* \* Acetylsalicylic Acid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7103. I. S. Nos. 11268-1, 11269-1. S. No. C-405.)**

On December 10, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 case, containing 46 one-pound packages, of an article purporting to be acetylsalicylic acid, remaining unsold in the original unbroken package at Cleveland, Ohio, alleging that the article had been shipped, on or about November 25, 1915, by the Cutino Drug & Sundry Co., Kansas City, Mo., and transported from the State of Missouri into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was originally shipped by the Import Drug Specialties, Cleveland, Ohio, to the Cutino Drug & Sundry Co., by whom it was returned. The shipping case was labeled, in part: "Import Drug Specialties, Cleveland, Ohio, 409 Marion Bldg. From Cutino Dg & Sdy Co., K C Mo. \* \* \*." Forty-two of the packages were labeled: "1 Lb. Acetyl Salicylic Acid. Antirheumatic. Antiseptic. Antipyretic. Dose 5-30 grains. Manufactured by the Swiss Chemical Co. Basle, on the Rhine, Switzerland." Four of the packages were labeled: "One Pound Acid Acetylo-Salicylic. Chemische Fabrik Vorm Bohenzoller, Breslau."

Adulteration of the article was alleged in the libel for the reason that it was a mixture chiefly of lactose, acetanilid, and salicylic acid, with little or no acetylsalicylic acid present.

Misbranding was alleged for the reason that the article was sold under the distinctive name of another article, and for the further reason that the presence of acetanilid was not declared.

On March 16, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4687. Adulteration of tomato pulp. U. S. \* \* \* v. 250 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7104. I. S. No. 1638-I. S. No. E-499.)**

On December 11, 1915, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cans, each containing approximately 5 gallons, of tomato pulp, remaining unsold in the original unbroken packages at West Newton, Pa., alleging that the article had been shipped by the Vienna Canning Co., Vienna, Ind., and transported from the State of Indiana into the State of Pennsylvania, the shipment having been received on or about November 18, 1915, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, or putrid vegetable substance unfit for food.

On February 2, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4688. Adulteration of frozen shad. U. S. \* \* \* v. 64 Boxes of Frozen Shad. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7105. I. S. No. 1729-I. S. No. E-500.)

On December 10, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 64 boxes of frozen shad, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by B. M. Shipman, New York, N. Y., and transported from the State of New York into the State of Maryland, and there refused by the consignee, and re-shipped from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance, to wit, putrified fish.

On January 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VBROOMAN, *Acting Secretary of Agriculture.*



**4689. Adulteration of tomato pulp. U. S. \* \* \* v. 39 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7106. I. S. No. 12705-1. S. No. C-408.)**

On December 10, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 39 cases, each containing 4 dozen cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 14, 1915, by the Rider Packing Co., Crothersville, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On January 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4690. Adulteration of sardines. U. S. \* \* \* v. 750 Cases of Sardines. Consent decree of condemnation. Portion of product ordered destroyed; balance ordered released. (F. & D. No. 7108. I. S. No. 3723-1. S. No. E-498.)**

On December 10, 1915, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 750 cases of sardines, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Union Sardine Co., Lubec, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On May 24, 1916, James J. McCurdy, Lubec, Me., claimant, having stipulated for the entry of a decree, judgment of condemnation was entered, in which it was provided that the sardines should be examined by some person, duly authorized by the Department of Agriculture, in the presence of a representative of the claimant, and that the sardines found to be adulterated within the meaning of the Food and Drugs Act, as determined by said person, authorized as aforesaid, should be forthwith destroyed, and that the sardines found to be free from adulteration should be forthwith delivered to said claimant, and that if any of the sardines should be found to be adulterated, the claimant should pay the costs of the proceedings.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4691. Adulteration of walnuts. U. S. \* \* \* v. 25 Bags of Walnuts. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 7109. I. S. No. 1255-1. S. No. E-502.)

On December 11, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 bags, of 110 pounds each, of walnuts, consigned by Bennett, Day & Co., New York, N. Y., and remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about December 1, 1915, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The shipping containers were marked: "110 lbs. P. & C. Marcots Mixture France." A portion of them were also marked "Extra Select."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance.

On December 21, 1915, Bennett, Day & Co., New York, N. Y., having appeared as claimant of the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$400, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4692. Adulteration and misbranding of acetylsalicylic acid. U. S. \* \* \* v. 1 Case \* \* \* Acetylsalicylic Acid. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7110. I. S. Nos. 11266-1, 11267-1. S. No. C-409.)**

On December 11, 1915, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 case, containing 17 one-pound packages, of an article purporting to be acetylsalicylic acid, remaining unsold in the original unbroken package at Cleveland, Ohio, alleging that the article had been shipped, on or about November 16, 1915, by M. Spielman, New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was originally shipped by the Import Drug Specialties, Cleveland, Ohio, to M. Spielman, by whom it was returned. The shipping case was labeled: "M. Spielman, 99 Chambers St., Near Church." Four of the packages were labeled: "1 Lb. Cetylopyrin. Aceto Salicylic Acid Powder. Farbenfabriken vorm C. Auscheridt & Co. Konigsberg." Thirteen of the packages were labeled: "One Pound Acid Acetylo-Salicylic. Chemische Fabrik Vorm Bohenzoller Breslau."

Adulteration of the article was alleged in the libel for the reason that it was a mixture chiefly of lactose, acetanilid, and salicylic acid, with little or no acetylsalicylic acid present.

Misbranding was alleged for the reason that the article was sold under the distinctive name of another article, and for the further reason that the presence of acetanilid was not declared.

On March 16, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4693. Adulteration and misbranding of raisin brandy. U. S. \* \* \* v. Myer Margulis. Plea of guilty. Fine, \$10. (F. & D. No. 7112. I. S. No. 2744-k.)**

On May 2, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Myer Margulis, Philadelphia, Pa., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on February 5, 1915, from the State of Pennsylvania into the State of Massachusetts, of a quantity of raisin brandy which was adulterated and misbranded. The article was labeled: (Principal label) "Mount Ephraim Raisin Brandy Mount Ephraim Raisin Brandy Made Expressly For Easter Holidays Bottled and sealed by M. Margulis Philadelphia, Pa." (Hebrew characters which, when translated, read) "Mt. Ephraim Raisin Brandy for Passover Kosher." (Band) (Hebrew character which, when translated, read) "Mt. Ephraim for Passover Kosher White Raisin Brandy Philadelphia." (Rabbi's seal in wax on capsule.) (Sticker on back of bottle) "The contents of this bottle is a compound and modified especially for the Easter Holidays. The original name is a Biblical name and is named by M. Margulis. Guaranteed according to Pure Food Law of June 30th, 1906. Name registered."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° alcohol, except when otherwise stated:

Proof at 60° F.....	98.8
Esters, as ethyl acetate.....	1.8
Acid, as acetic.....	1.8
Fusel oil, as amyl alcohol.....	1.8
The product is diluted neutral spirits.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, dilute spirits, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength, and had been substituted in part for raisin brandy, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Raisin Brandy," borne on the label of the article was false and misleading in that it represented that the article was raisin brandy, and for the further reason that it was labeled "Raisin Brandy," so as to deceive and mislead the purchaser into the belief that it was raisin brandy, whereas, in truth and in fact, it was not, but was a mixture composed largely of dilute spirits. Misbranding was alleged for the further reason that the article was in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 8, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4694. Adulteration of tomato ketchup. U. S. \* \* \* v. Mary C. Flaccus, trading as E. C. Flaccus Co. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7113. I. S. Nos. 1385-k, 1396-k.)

On May 12, 1916, the United States attorney for the Northern District of West Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Mary C. Flaccus, trading as E. C. Flaccus Co., Wheeling, W. Va., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 17, 1914, and January 13, 1915, from the State of West Virginia into the State of Pennsylvania, of consignments of tomato ketchup which was adulterated.

The first shipment was labeled: (On one head of barrel) "495-78-417 Preserved with  $\frac{1}{10}$  of 1% Sodi Benzoate." (On other head) "Champion Brand Tomato Catsup Manufactured by E. C. Flaccus Co Wheeling, W. Va. U. S. A. Food Products."

Analysis of a sample of this article by the Bureau of Chemistry of this department showed the following results:

	Yeasts and spores per 1/60 cmm.	Bacteria per cc.	Mold filaments present in per cent of microscopic fields.
1.....	75	850,000,000	46
2.....	80	590,000,000	20
			<i>Per cent of fields.</i>

A partially decomposed vegetable product.

The second shipment was labeled: (On jug) "Preserved with one tenth of one per cent Benzoate of Soda. Contents One Gal. Avd. Tomato Catsup Pure wholesome delicious Prepared From Tomatoes, Sugar, Vinegar, Onions, Salt, Spices & Garlic Packed for Daub Bros., Pittsburgh, Pa."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Yeasts and spores per 1/60 cmm..... 200  
 Bacteria per cc..... 400,000,000  
 Mold filaments present in 86 per cent of the microscopic fields.

A partially decomposed vegetable product.

Adulteration of the article in both shipments was alleged in the information for the reason that it consisted, in whole or in part, of a decomposed vegetable matter.

On May 12, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4695. Misbranding of canned pork and beans. U. S. \* \* \* v. Emanuel H. Miller et al. (Miller Bros. & Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7121. I. S. No. 1460-k.)**

On February 28, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emanuel H. Miller and William Miller, copartners, trading as Miller Bros. & Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about January 13, 1915, from the State of Maryland into the State of Pennsylvania, of a quantity of canned pork and beans which were misbranded. The article was labeled: "Royalty Brand Pork & Beans In Sauce Contents 2 Pounds Miller Bros. & Co. Distributers Baltimore, Md. Pork & Beans."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	70.45
Absolute ether extract, dry basis (per cent)-----	1.37
Absolute ether extract, original (per cent)-----	0.40

No indication of any added meat. Chemical examination does not indicate any added fat. No pork was found in the product.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "Pork & Beans," borne on the label attached to the cans, was false and misleading in that it represented that the article consisted of pork and beans, and for the further reason that it was labeled "Pork & Beans" so as to deceive and mislead the purchaser into the belief that it consisted of pork and beans, whereas, in truth and in fact, it did not, but did consist only of beans.

On February 28, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4696. Adulteration and misbranding of essence cognac brandy. U. S. \* \* \*  
 v. Henry Leerburger et al. (Leerburger Bros.). Plea of guilty. Fine,  
 \$15. (F. & D. No. 7122. I. S. No. 17806-k.)

On May 13, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Leerburger and Benedict H. Leerburger, copartners, trading as Leerburger Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on August 3, 1914, from the State of New York into the State of Utah, of a quantity of essence cognac brandy, which was adulterated and misbranded. The article was labeled: "1 Gall. Ess. Cognac Brandy. Leerburger Brothers. Essential Oils, Fine Drugs Lb Perfumers Supplies New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	\$3.75
Nonvolatile matter at 100° C. (grams per 100 cc)-----	3.54
Nonsugar, nonvolatile matter (consists of a viscid oil) (grams per 100 cc)-----	1.65
Reducing sugar (grams per 100 cc)-----	1.16
Sucrose, by copper (grams per 100 cc)-----	0.73
Volatile acidity (cc N/10 acid per 100 cc)-----	15.70
Oil (per cent)-----	3.60
Esters, as ethyl acetate (grams per 100 cc)-----	2.26

The product was a sweetened alcoholic solution of oils or esters of volatile and nonvolatile acids. The esters appear to be ethyl esters of various organic acids used to imitate the flavor of cognac brandy.

Adulteration of the article was alleged in the information for the reason that an imitation cognac brandy essence prepared from synthetic ethers had been substituted wholly or in part for essence cognac brandy, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Ess. Cognac Brandy," borne on the label attached to the bottle, regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was a product derived exclusively from cognac brandy, and for the further reason that it was labeled "Ess. Cognac Brandy," so as to deceive and mislead the purchaser into the belief that it was a product derived exclusively from cognac brandy, whereas, in truth and in fact, it was not, but was an imitation product prepared from synthetic ethers. Misbranding was alleged for the further reason that the article was an imitation product prepared from synthetic ethers, and was offered for sale and sold under the distinctive name of another article, to wit, "Ess. Cognac Brandy."

On May 17, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4697. Adulteration of evaporated apples. U. S. \* \* \* v. 198 Cases of Evaporated Apples. Consent decree of condemnation and forfeiture. A portion of the product ordered destroyed; balance ordered released on bond. Product subsequently destroyed. (F. & D. No. 7124. I. S. Nos. 2624-1, 2627-1. S. No. E-503.)**

On December 15, 1915, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 198 cases of evaporated apples, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped, on or about November 19, 1915, by L. S. Town, North Rose, N. Y., and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "25 lbs. net Evaporated Apples Selection Packed by L. S. Town, Rose, Wayne Co. N. Y. U. S. A."

It was alleged in the libel that the product purported to be good commercial evaporated apples, whereas, in truth and in fact, it was not, but was adulterated within the meaning of the Food and Drugs Act in that a substance, to wit, water, had been mixed and packed therewith so as to reduce and lower and injuriously affect the quality and strength thereof; and for the further reason that a substance, to wit, water, had been substituted, wholly or in part, for evaporated apples.

On February 17, 1916, L. S. Town, claimant, having consented thereto, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, conditioned, in part, that the product should be examined at the time of release by a representative of the Bureau of Chemistry, and that the portion of the same found upon the examination to be fermented should be destroyed, and the portion which was unfermented should be processed and the excessive moisture removed therefrom before being sold, or disposed of, or permitted to go forward into interstate commerce after the removal of said moisture. The conditions of the court's decree were not complied with, and the entire product subsequently was destroyed.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4698. Adulteration of frozen geese. U. S. \* \* \* v. The New York & New Jersey Beef and Provision Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7125. I. S. No. 1300-k.)**

On March 2, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the New York & New Jersey Beef & Provision Co., a corporation, Jersey City, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 22, 1915, from the State of New Jersey into the State of New York, of a quantity of frozen geese, which were adulterated.

Examination of a sample of the article by an inspector of the New York State Department of Health showed the geese to have a bad odor, that they were slimy, green, and putrid, and absolutely unfit for human consumption.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy, decomposed, or putrid animal substance.

On March 27, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4699. Adulteration and misbranding of "Lemon Flavor." U. S. v. John N. Hickok et al. (John N. Hickok & Son). Plea of guilty. Fine, \$25. (F. & D. No. 7126. I. S. No. 8885-h.)**

On April 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John N. Hickok and Burt N. Hickok, copartners, trading as John N. Hickok & Son, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on January 16, 1914, from the State of New York into the State of Kansas, of a quantity of "lemon flavor," which was adulterated and misbranded. The article was labeled: "Lemon flavor. These Goods are guaranteed to comply with National Pure Food Law of June 30, 1906, also Kansas Pure Food Law of February 14, 1907. Leavenworth Candy Co., Superfine Flavoring Extracts, Manufactured Expressly for fine Ice Cream, Confectionery and Bakers Trade. Leavenworth Candy Co. Manufacturing Confectioners, Leavenworth, Kans."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	73.1
Methyl alcohol: Absent.	
Aldehydes, by Hiltner method (per cent)-----	0.18
Lemon oil, by precipitation (per cent)-----	3.4
Lemon oil, by polarization (per cent)-----	2.8
A dilute lemon extract.	

Adulteration of the article was alleged in the information for the reason that a substance, to wit, a dilute lemon extract, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality and strength and had been substituted in part for lemon flavor, which the article purported to be.

Misbranding was alleged for the reason that the statement to wit, "Lemon Flavor," regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was a genuine lemon flavor and was such as to deceive and mislead the purchaser into the belief that it was a genuine lemon flavor, whereas, in truth and in fact, it was not, but was a dilute lemon extract.

On April 25, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4700. Adulteration of tomato pulp. U. S. \* \* \* v. 53 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7127. I. S. No. 12710-1. S. No. C-414.)**

On December 16, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 53 cases, more or less, each containing 4 dozen cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 4, 1915, by the Scottsburg Canning Co., Scottsburg, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a filthy vegetable substance, and for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On April 5, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

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## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 4701-4750.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 19, 1917.]

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### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**4701. Adulteration of tomato pulp. U. S. \* \* \* v. 50 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7128. I. S. No. 12708-1. S. No. C-415.)**

On December 16, 1915, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, more or less, each containing four dozen cans, of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on October 4, 1915, by the Scottsburg Canning Co., Scottsburg, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a filthy vegetable substance, for the further reason that it consisted in part of a decomposed vegetable substance, and for the further reason that it consisted in part of a putrid vegetable substance.

On March 29, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4702. Adulteration of tomato pulp. U. S. \* \* \* v. 600 Cases \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7129. I. S. Nos. 11135-1, 11151-1. S. No. C-416.)**

On December 20, 1915, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 cases of tomato pulp, remaining unsold in the original unbroken boxes at Houston, Tex., alleging that the article had been shipped, on or about November 2, 1914, by Roberts Bros., Baltimore, Md., and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cans and most of the cases were labeled: "Big R Brand Tomato Pulp. Made from Pieces and Trim-mings of Tomatoes. Contents Weigh 10 Oz. Big R Brand Distributed by Roberts Bros. Main Office, Baltimore, Md." The remainder of the cases were labeled: "4 doz. cans, 10 ounces each, No. 1 Roberts Bros. Big R Brand (Trade-Mark) Tomato Pulp. Main Office, Baltimore, Md."

The allegation in the libel was to the effect that the article was adulterated by being decomposed and putrid in violation of the sixth paragraph of section 7, under food, the Food and Drugs Act.

On March 1, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4703. Misbranding of Portage stock feed. U. S. \* \* \* v. Akron Feed & Milling Co. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 7133. I. S. Nos. 2976-k, 3602-k.)**

On April 24, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Akron Feed & Milling Co., a corporation, Akron, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 3, 1914, and March 13, 1915, from the State of Ohio into the State of Maryland, of quantities of "Portage Stock Feed," which article in each case was misbranded. The feed in both shipments was labeled: "100 Pounds Net When Packed Portage Stock Feed Made by The Akron Feed & Milling Co. Akron, Ohio Guaranteed Crude Protein 10% Crude Fat 4% Crude Fiber 10% Made from either White or Yellow Shelled Corn, Barley, Oat Shorts, Oat Hulls, Oat Middlings and ½ of one per cent of Salt."

Analysis by the Bureau of Chemistry of this department of a sample of the article shipped October 3, 1914, showed the following results:

Moisture (per cent)-----	7.89
Ether extract (crude fat) (per cent)-----	4.51
Crude fiber (per cent)-----	15.77
Crude protein (per cent)-----	9.13

Misbranding of the article was alleged in the information for the reason that the following statements regarding it and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Crude Protein 10% \* \* \* Crude Fiber 10%," were false and misleading in that they indicated to purchasers thereof that the article contained 10 per cent of crude protein and not more than 10 per cent of crude fiber, when, in truth and in fact, it did not contain 10 per cent of crude protein and did contain more than 10 per cent of crude fiber, to wit, 9.13 per cent of crude protein and 15.77 per cent of crude fiber. Misbranding was alleged for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it contained 10 per cent of crude protein and not more than 10 per cent of crude fiber when, in truth and in fact, it did not contain 10 per cent of crude protein and did contain more than 10 per cent of crude fiber, to wit, 9.13 per cent of crude protein and 15.77 per cent of crude fiber.

Analysis by said Bureau of Chemistry of a sample of the article shipped March 13, 1915, showed the following results:

Moisture (per cent)-----	8.90
Ether extract (crude fat) (per cent)-----	3.66
Crude fiber (per cent)-----	12.90
Crude protein (per cent)-----	7.94

Misbranding of the article was alleged in the information for the reason that the following statements regarding it and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Crude Protein 10% Crude Fat 4% Crude Fiber 10%," were false and misleading in that they indicated to purchasers thereof that the article contained 10 per cent of crude protein, 4 per cent of crude fat, and not more than 10 per cent of crude fiber, when, in truth and in fact, it did not contain 10 per cent of crude protein or 4 per cent of fat and did contain more than 10 per cent of crude fiber, to wit, 7.94 per cent of crude protein, 3.66 per cent of crude fat, and 12.90 per cent of crude fiber. Misbranding was alleged for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief

that it contained 10 per cent of crude protein, 4 per cent of crude fat, and not more than 10 per cent of crude fiber, when, in truth and in fact, it did not contain 10 per cent of crude protein nor 4 per cent of crude fat and did contain more than 10 per cent of crude fiber, to wit, 7.94 per cent of crude protein, 3.66 per cent of crude fat, and 12.90 per cent of crude fiber.

On May 22, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4704. Adulteration and misbranding of oil of wintergreen leaf. U. S. v. Frank P. Dowe. Plea of guilty. Fine, \$5. (F. & D. No. 7137. I. S. No. 3820-h.)**

On March 16, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Frank P. Dowe, Spring Glen, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on October 24, 1913, from the State of New York into the State of Massachusetts, of a quantity of oil of wintergreen leaf which was adulterated and misbranded. The article was labeled: "Oil Wintergreen Leaf. F. P. Dowe, Spring Glen, Ulster Co., N. Y."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Bead test: Positive.

Vanillin test: Positive.

Rotation in 100 mm. tube at 20° C. (°V.)----- -0.19

Specific gravity 15.6° C./15.6°C----- 1.1879

Esters, as methyl salicylate (per cent)----- 98.9

Adulteration of the article was alleged in the information for the reason that a substance, to wit, methyl salicylate, derived from a source other than wintergreen leaves, had been mixed and packed with the article so as to lower or reduce its quality and strength, and had been substituted, in whole or in part, for oil of wintergreen leaf, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Oil Wintergreen Leaf," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was genuine oil of wintergreen leaf, and for the further reason that it was labeled "Oil Wintergreen Leaf" so as to deceive and mislead the purchaser into the belief that it was genuine oil of wintergreen leaf, whereas, in truth and in fact, it was not, but was a mixture consisting, in whole or in part, of methyl salicylate, derived from a source other than wintergreen leaves. Misbranding was alleged for the further reason that the article was an imitation oil of wintergreen leaf prepared, in whole or in part, from methyl salicylate, derived from a source other than wintergreen leaves, and was offered for sale under the name [or distinctive name] of another article, oil of wintergreen leaf.

On March 27, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4705. Misbranding of tankage. U. S. \* \* \* v. The Farmers' Fertilizer Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7139. I. S. No. 13529-k.)**

On March 24, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Farmers' Fertilizer Co., a corporation, Columbus, Ohio, alleging shipment by said company, in violation of the Food and Drugs Act, on or about May 5, 1915, from the State of Ohio into the State of Indiana, of a quantity of tankage which was misbranded. The article was labeled: (On sack) "100 lbs. Farmers Digester Tankage Guaranteed Analysis Protein 60.00% Fat 8.00% Fiber 4.00% Ingredients Meat Product Manufactured by The Farmers Fertilizer Co., Columbus, Ohio."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent)-----	7.80
Protein (N $\times$ 6.25) (per cent)-----	44.68
Fat (per cent)-----	6.75
Crude fiber (per cent)-----	2.43

Misbranding of the article was alleged in the information for the reason that the following statement regarding it and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Guaranteed Analysis Protein 60.00%, Fat 8.00%," was false and misleading in that it indicated to purchasers thereof that the article contained 60 per cent of protein and 8 per cent of fat; and for the further reason that it was labeled as aforesaid, so as to deceive and mislead purchasers into the belief that it contained 60 per cent of protein and 8 per cent of fat, when, in truth and in fact, it did not, but contained a less amount thereof, to wit, 44.68 per cent of protein and 6.75 per cent of fat.

On May 31, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4706. Misbranding of "Tabonucol-Pectoratol." U. S. \* \* \* v. 12 Cases \* \* \* of "Tabonucol-Pectoratol." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7142. I. S. No. 3330-I. S. No. E-509.)**

On December 27, 1915, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases, containing 24 dozen bottles, of "Tabonucol-Pectoratol," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped, on or about October 21, 1915, by the Porto Rico Pharmaceutical Specialty Co. (Inc.) Porto Rico, and transported within the island of Porto Rico to the city of San Juan, P. R., and charging misbranding in violation of the Food and Drugs Act, as amended. On each of the bottles, in Spanish, was the following transcription: "Excelente Tónico o Balsámico Reconstituyente del Aparato Bronco-Pulmonar. En uso y Éxito Continuo Durante los Últimos 20 Años. Eficaz Para las Afecciones Pulmonares en General. Cura la Tisis, Incipiente, Bronquitis Crónica, Broncorrea, Gripe Inicial, Asma, Tos, Ronquera y Otras Afecciones de las Vías Respiratorias," which translated is as follows: "An excellent tonic or balsamic reconstituent of the bronchial-pulmonary apparatus. In continual successful use during the past 20 years. Efficacious for pulmonary affections in general. It cures phthisis, incipient, chronic bronchitis, bronchial catarrh, gripe initial, asthma, cough, hoarseness, and other affections of the breathing passages." On the circular inclosing each of said bottles were some of the following statements (translated into English): "This is not a secret preparation or medicine but an effective pharmaceutical combination of expectorants, modern, rational, and eminently practical." "Under the name of Tabonucol-Pectoratol, then, we present this ideal vegetable combination, which is very superior to pine sap, vegetable pitch, tolu, cherry, creosote, etc., one of its most important ingredients being the well known antiseptic and expectorant-stimulant—Guaiacol—which is an undeniable reconstituent of the bronchial-pulmonary apparatus, and eucalyptus, which we know to be a rational antithermic of catarrhal and pulmonary fevers, assisted by codeine, which is the only salt or alkaloid from opium really expectorant and stimulative inoffensive to the system." "Tabonucol-Pectoratol is recommended by medical science for the effective treatment of chronic bronchitis, bronchial catarrh, asthma, incipient phthisis, catarrhs, cough, pulmonary congestion, colds, gripe, hoarseness, and other affections, difficult to enumerate." "In chronic bronchitis and in bronchial catarrhs Tabonucol-Pectoratol acts promptly and surely from the first instant. It causes the fever to disappear and facilitates the expectoration, toning up the bronchial-pulmonary apparatus. In pulmonary catarrhs it is of an astounding efficacy, as can be shown from the first day of its use. The Tabonucol-Pectoratol also cures asthma, cough, hoarseness, gripe, and other affections of the respiratory passages. Its use is greatly recommended in incipient phthisis, in which affection it should be used as a reconstituent and tonic for the pulmonary apparatus."

Misbranding of the article was alleged in the libel for the reason that the statements contained in the circular and on the label of the bottles as set out above were false, fraudulent, and misleading, a chemical analysis of the article showing that it did not contain any ingredient or combination of ingredients capable of producing the claims set out on the label of the bottles or circulars aforesaid. It was further alleged that the article was mislabeled and misbranded so as to deceive and mislead the purchaser thereof, in that both the label and wrapper contained statements regarding the article and the in-

gredients and substances contained therein which were fraudulent and misleading; that is to say, that the said label and circular were [such as] to lead the public to believe that the article was a useful and good medicine and would cure the various ills, diseases, and complaints as set out in said circular and label, whereas, in fact, it was not of a medicinal nature such as would produce any such results, and was utterly worthless for that purpose.

On March 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4707. Adulteration of nuts. U. S. \* \* \* v. 120 Bags of Nuts. Consent decree of condemnation and forfeiture. Portion of the product ordered to be released on bond. Balance ordered destroyed. (F. & D. No. 7143. I. S. No. 2236-I. S. No. E-516.)**

On December 27, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 120 bags of nuts, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Bernheimer Bros., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The bags were labeled, in part: (On tag) " \* \* \* From Bernheimer Bros. Big Home Stores 302 to 306 W Fayette St. Through to Lexington St., Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance, to wit, nuts which were thoroughly moldy or empty and by no possibility could be used for food.

On February 15, 1916, claimant, having consented thereto, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned that the goods should be cracked and sorted out under the supervision of the Department of Agriculture, and provided that a representative of said department should take samples of the portion which, in the opinion of the claimant, was fit for food, for further examination by said department, the decision of which should be final whether any portion of the product should be released for food purposes, the unfit portion thereof to be destroyed at the expense of the claimant, and [the] balance thereof, if released for food purposes, to be retained by claimant according to law, otherwise to be destroyed by the claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4708. Misbranding of "Depurativo Guardias." U. S. \* \* \* v. 5½ Dozen Bottles \* \* \* "Depurativo Guardias." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7146. I. S. No. 3332-1. S. No. E-518.)**

On January 4, 1916, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5½ dozen bottles of "Depurativo Guardias," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on November 26, 1915, by the Guardias Ointment Co., New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. It was claimed in the circular in Spanish, inclosing each bottle, that the said "Depurativo Guardias" was an infallible cure for herpes, scrofula, tumors, syphilis in all its forms, rheumatism, however rebellious and chronic, ulcers or sores, leprosy or the disease of Lazarus, diseases of women, pains of all classes whether they be syphilitic, rheumatic, or mercurial, fistulas, and erysipelas.

Misbranding of the article was alleged in the libel for the reason that the statements contained in the circular and on the label of the bottles, as set out above, were false, fraudulent, and misleading, a chemical analysis of the article showing that it did not contain any ingredient or combination of ingredients capable of producing the claims set out upon the label or circular, as aforesaid. It was further alleged in the libel that the article was mislabeled and misbranded so as to deceive and mislead the purchaser thereof, in that both the label and wrapper around the bottle contained statements regarding said article, and the ingredients and substances contained therein, which were fraudulent and misleading, that is to say, said label and circular were calculated to lead the public to believe that the article was a useful and good medicine, and would cure the various ills, diseases, and complaints as set out in said circular and label, whereas, in fact, it was not of a medicinal nature such as would produce any such results, and was utterly worthless for that purpose.

On March 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4709. Misbranding of "Unguento Universal Carson." U. S. \* \* \* v. 7 Dozen Boxes of "Unguento Universal Carson." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7156. I. S. No. 3333-I. S. No. E-519.)**

On January 18, 1916, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 dozen boxes of "Unguento Universal Carson," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped, on or about April 15, 1915, by Kane & Behrens, New York, N. Y., and transported from the State of New York into the Island of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. Each box was incased in a wrapper within which, and wrapped around the box was a circular stating that in the case of "bites of rabid dogs \* \* \* this ointment will effect a complete cure without danger of hydrophobia \* \* \* Stings of poisonous animals will be cured \* \* \* Carbuncles and boils \* \* \* this ointment will effect a rapid cure \* \* \* leaving no scar whatever. \* \* \* Rheumatism \* \* \* this ointment is a powerful remedy, \* \* \* extracting the cause of the disease through the pores. \* \* \* Tumors of all kinds and in any part of the body. It will open them \* \* \* and the healing will be so perfect that no scar will be visible."

It was alleged in the libel that an analysis of the article showed it to contain no ingredient or combination of ingredients capable of producing the aforesaid therapeutic effects claimed for it in the circular accompanying it. It was further alleged that the statements contained in the circular and on the label, as set out above, were false, fraudulent, and misleading, the chemical analysis showing that it did not contain any ingredient or combination of ingredients capable of producing the claims and results set out upon the circulars. It was further alleged that the article was mislabeled and misbranded so as to deceive and mislead the purchaser or purchasers thereof, in that both the label and wrapper contained statements regarding the article and the ingredients and substances contained therein, which were fraudulent and misleading; that is to say, the label and the circular were calculated to lead the public to believe that the article was a useful and good medicine, and would cure the various ills, diseases, and complaints as set out in said circular and label, whereas, in fact, it was not of a medicinal nature such as would produce any such results, and was utterly worthless for that purpose.

On March 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4710. Adulteration of fava beans. U. S. \* \* \* v. 210 Sacks \* \* \* of Fava Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7158. I. S. No. 10528-1. S. No. C-420.)**

On January 14, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 210 sacks, each containing 120 pounds, more or less, of fava beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on December 19, 1914, by Adolph Koshland, San Francisco, Cal., and transported from the State of California into the State of Illinois and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a decomposed vegetable substance, for the further reason that it consisted wholly of a decomposed vegetable substance, for the further reason that it consisted in part of a filthy vegetable substance, and for the further reason that it consisted wholly of a filthy vegetable substance.

On February 18, 1916, L. S. Nachman, claimant, Chicago, Ill., having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, but it appearing to the court that the article could be ground up for animal food without violation of the law, it was ordered by the court that the same should be surrendered and delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned, among other things, that the article should be ground up to be used for animal food, under the supervision of the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**4711. Adulteration of tomato pulp. U. S. \* \* \* v. 2,000 Cans of Tomato Pulp. Consent decree of condemnation and forfeiture. Portion of product destroyed; portion ordered released on bond. (F. & D. No. 7159. I. S. Nos. 1264-1, 3090-1. S. No. E-525.)**

On January 13, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on January 18, 1916, an amended libel, for the seizure and condemnation of 2,000 five-gallon cans of tomato pulp, consigned by the Houghland Bros. Canning Co., Underwood, Ind., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on December 3, 1915, and December 7, 1915, and transported from the State of Indiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 1, 1916, the Houghland Bros. Canning Co., a corporation, Underwood, Ind., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that 376 cans of the article should be delivered to the claimant company, upon payment of the costs of the proceedings and execution of bond in the sum of \$300, in conformity with section 10 of the act. The remainder of the product was destroyed after having been shown upon examination to be adulterated.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4712. Adulteration of canned pork and beans. U. S. \* \* \* v. 30 Cases  
\* \* \* of Pork and Beans. Default decree of condemnation, for-  
feiture, and destruction. (F. & D. No. 7161. I. S. No. 2631-1. S. No.  
E-527.)**

On January 14, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases, each containing two dozen cans, of pork and beans, remaining unsold in the original unbroken packages at Jersey City, N. J., alleging that the article had been shipped, on or about December 15, 1915, by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and transported from the State of Wisconsin into the State of New Jersey, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "2 dozen No. 2- $\frac{1}{2}$  cans. Eureka Brand High Grade Pure Food Products. Pork and Beans with Tomato Sauce. Packed by Wisconsin Pea Cannery Co., Manitowoc, Wis. Eureka Brand" (design) "Pork and Beans with Tomato Sauce. Quality Guaranteed by Wisconsin Pea Cannery Co. Contents 1 lb. 12 oz. WPC Co." The cans were labeled: "Eureka Brand High Grade Pure Food Products Pork and Beans with Tomato Sauce Packed by Wisconsin Pea Cannery Co., Manitowoc, Wis. Eureka Brand" (design) "Pork and Beans with Tomato Sauce. Quality Guaranteed by Wisconsin Pea Cannery Co. Contents 1 lb. 12 oz."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable and animal substance.

On February 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

(The report of this department, upon which the proceedings in this case were based, did not include a finding that the product consisted of a decomposed animal substance.)

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4713. Misbranding of "Dr. King's Throat and Lung Balsam." U. S. v. 11 Cases of "Dr. King's Throat and Lung Balsam." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7164. I. S. No. 1355-1. S. No. E-530.)**

On January 20, 1916, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 cases, each containing two dozen bottles, of "Dr. King's Throat and Lung Balsam," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped, on or about January 3, 1916, by the Ritchey Portrait Co., Chicago, Ill., and transported from the State of Illinois into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles were labeled: "Dr. King's Throat and Lung Balsam One per cent Alcohol Guaranteed by King Medicine Co. under the Food & Drugs Act, June 30, 1906 Serial No. 34806 A pleasant and reliable remedy for Coughs, Colds, Croup, Hoarseness, Whooping Cough, Difficult Breathing, Asthma, Bronchitis, Sore Throat and all affections of the pulmonary organs; also for the relief of Consumptive patients in the advanced stages of the disease. Directions \* \* \* Prepared by King Medicine Co., 3757 Sheffield Ave., Chicago, Ill." The cartons were labeled in part as follows: "For the various affections of the Throat, Chest and Lungs \* \* \* reliable remedy \* \* \* will relieve any ordinary cough or cold and relieve it perfectly so that no further trouble need be feared. Continued use of this great remedy will relieve any cold, however severe or of long standing. \* \* \* Also for the relief of consumptive patients in the last stages of the disease."

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, appearing on said bottles and cartons, were false and fraudulent, the contents of said bottles being incapable of producing the effects so claimed.

On April 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4714. Misbranding of feed. U. S. \* \* \* v. 300 Sacks of "Big K Sweet Dairy Feed." Decree of condemnation and forfeiture after submission to a jury. Product ordered released on bond. (F. & D. No. 7166. I. S. No. 2370-1. S. No. E-533.)**

On January 25, 1916, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 sacks, each containing 100 pounds, of "Big K Sweet Dairy Feed," remaining unsold in the original unbroken packages at Columbia, S. C., alleging that the article had been shipped, on or about November 13, 1915, by John Wade & Sons, Memphis, Tenn., and transported from the State of Tennessee into the State of South Carolina, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "395. 100 pounds of Big K Sweet Dairy Feed Manufactured for Kirkland Distributing Co. Columbia, S. C. Guaranteed Average Analysis Protein 15.50 Fat 3.50. Fibre (not over) 13.00 Carbohydrates 45.00 Made from Dry Brewers Grains, C. S. Meal. Alfalfa Meal. Molasses."

Misbranding of the article was alleged in the libel for the reason that it was deficient in protein and fat and contained excessive crude fiber, and the statements on the labels, marks, and brands as to the amounts of said ingredients were false and misleading and thereby deceived and misled the purchaser.

On March 11, 1916, no claimant having appeared for the property, witnesses were examined in open court and the case submitted to a jury for its deliberation. After due consideration the jury returned into court with a verdict in favor of the Government, and thereupon an order was taken condemning and confiscating the feed to the use of the United States and directing the marshal to sell the same after due advertisement.

On March 30, 1916, John Wade & Sons, Memphis, Tenn., claimants, petitioned the court to reopen the case and set aside the order for the sale of the property, and on said date the order of sale was set aside. It was thereupon ordered by the court that the property should be delivered to said claimants upon payment of all the costs of the proceedings and the execution of bond in the sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4715. Adulteration of canned pork and beans. U. S. \* \* \* v. 229 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7167. I. S. Nos. 2415-1, 2416-1, 2417-1. S. No. E-536.)

On January 21, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 229 cases of pork and beans, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Thomas Canning Co., Grand Rapids, Mich., and transported from the State of Michigan into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On February 19, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4716. Adulteration of catsup. U. S. \* \* \* v. 100 Barrels of Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7169, I. S. No. 2542-1. S. No. E-534.)**

On January 25, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 barrels of catsup, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the E. C. Flaccus Co., Wheeling, W. Va., and transported from the State of West Virginia into the State of New York, the shipment having been received on or about January 4, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Leslie's Brand Catsup Preserved with 1/10 of 1% Benzoate of Soda. Distributors The Arthur Leslie Sauce Co. New York."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On February 15, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4717. Adulteration of Mexican chili peppers. U. S. \* \* \* v. 50 Bales \* \* \* of Mexican Chili Peppers. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7170. I. S. No. 12413-l. S. No. C-426.)**

On January 24, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 bales, more or less, of Mexican chili peppers, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on July 24, 1914, by J. Armengol, Texas City, Tex., and transported from the State of Texas into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a decomposed vegetable substance, for the further reason that it consisted wholly of a decomposed vegetable substance, for the further reason that it consisted in part of a filthy vegetable substance, and for the further reason that it consisted wholly of a filthy vegetable substance.

On March 1, 1916, the said J. Armengol, claimant, having admitted the material allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, but it appearing to the court that the article might be ground up for animal food, it was ordered that the same should be surrendered and delivered to the said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned, among other things, that the article should be ground up to be used for animal food, under the supervision of the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**4718. Adulteration of tomato pulp. U. S. \* \* \* v. 2770 Cans \* \* \* of Tomato Pulp. Consent decree of condemnation and forfeiture. Portion of product destroyed; portion ordered released on bond. (F. & D. No. 7171. I. S. Nos. 1268-1, 1269-1, 1270-1. S. No. E-538.)**

On January 24, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2,770 cans, each containing five gallons, of tomato pulp, consigned by the Houghland Bros. Canning Co., Underwood, Ind., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped, on or about December 15, 28, and 30, 1915, and transported from the State of Indiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 1, 1916, Houghland Bros. Canning Co., a corporation, claimant, Underwood, Ind., having consented thereto, judgment of condemnation and forfeiture was entered, and it was ordered by the court that 11 of the cans should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$100, in conformity with section 10 of the act, conditioned, among other things, that the same should be relabeled under the supervision of the Chief of the Philadelphia Laboratory of the Bureau of Chemistry of the Department of Agriculture. The remainder of the product was destroyed after having been shown, upon examination, to be adulterated.

CARL VBROOMAN, *Acting Secretary of Agriculture*



**4719. Misbranding of "Dr. King's Throat and Lung Balsam." U. S. v. 13 Cases of "Dr. King's Throat and Lung Balsam." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7174. I. S. No. 3223-1. S. No. E-540.)**

On January 25, 1916, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cases, each containing two dozen bottles, of "Dr. King's Throat and Lung Balsam," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped, on or about January 10, 1916, by the Ritchey Portrait Co., Chicago, Ill., and transported from the State of Illinois into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles were labeled: "Dr. King's Throat and Lung Balsam; One per cent Alcohol, Guaranteed by King Medicine Co., under the Food & Drugs Act, June 30, 1906 Serial No. 34806. A pleasant and reliable remedy for Coughs, Colds, Croup, Hoarseness, Whooping Cough, Difficult Breathing, Asthma, Bronchitis, Sore Throat, and all affections of the pulmonary organs; also for the relief of Consumptive patients in the advanced stages of the disease. Directions \* \* \* Prepared by King Medicine Co., 3757 Sheffield Ave., Chicago, Ill." The cartons were labeled, in part: "For the various affections of the Throat, Chest and Lungs \* \* \* reliable remedy \* \* \* will relieve any ordinary cough or cold and relieve it perfectly so that no further trouble need be feared. Continued use of this great remedy will relieve any cold however severe or of long standing. \* \* \* Also for the relief of consumptive patients in the last stages of the disease."

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, appearing on the said bottles and cartons, were false and fraudulent, the contents of the bottles being incapable of producing the effects so claimed.

On April 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4720. Adulteration of oysters. U. S. v. J. Edward Goodwin. Plea of guilty. Fine, \$10.** (F. & D. No. 7175. I. S. No. 3456-1.)

On February 15, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Police Court of said District an information against J. Edward Goodwin, Washington, D. C., alleging the sale by said defendant on December 16, 1915, at the District aforesaid, of a quantity of oysters which were adulterated in violation of the Food and Drugs Act.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Liquid (per cent)-----	43.2
Meat (per cent)-----	56.8

*Meats.*

Loss on boiling (per cent)-----	57.20
Solids (per cent)-----	13.61
Ash (per cent)-----	0.80
Chlorids as NaCl, in meats (per cent)-----	0.05
Chlorids as NaCl, in liquor (per cent)-----	0.22

These results showed the substitution of a material amount of water for oysters.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On February 15, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4721. Adulteration and misbranding of apple butter. U. S. \* \* \* v. Jerome M. Smucker. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 7177. I. S. No. 1483-k.)**

On March 7, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Jerome M. Smucker, Orrville, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 21, 1915, from the State of Ohio into the State of Pennsylvania, of a quantity of apple butter which was adulterated and misbranded. The article was labeled: (On jug) "Smucker's Pure Home Made Apple Butter Composed of Select Apples, Cider and Granulated Sugar Net Weight 2 Lbs. Manufactured by J. M. Smucker Orrville, O." (On tag) "To \* \* \* From J. M. Smucker Manufacturer of High Grade Apple Butter Orrville, Ohio."

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Center of containers:

Yeasts and spores per 1/60 milligram: (A) 300; (B) 300.

Bacteria per gram: (A) about 200 million; (B) about 200 million.

Mold filaments in: (A) 60 per cent; (B) 64 per cent of the microscopic fields.

No visible evidence of active spoilage when opened, except on surface.

Covered with a dense mass of green mold, a surface growth only.

The product contained an excessive number of organisms, showing that it was made from partly decomposed fruit.

Not made from select apples.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed vegetable substance.

Misbranding was alleged for the reason that the statement, to wit, "Pure Home Made Apple Butter Composed of Select Apples," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it falsely represented that the article was pure apple butter, composed of select apples, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure apple butter, composed of select apples, whereas, in truth and in fact, it was not, but was a product made from partly decomposed fruit.

On March 21, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4722. Adulteration and misbranding of extract of malt and hops. U. S. v. The Ebling Brewing Co., a corporation (The Bromstaff Malt Extract Co.). Plea of guilty. Fine, \$50. (F. & D. No. 7178. I. S. No. 1893-k.)**

On April 19, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Ebling Brewing Co., a corporation, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, under the trade name and style of the Bromstaff Malt Extract Co., on March 2, 1915, from the State of New York into the State of South Carolina, of a quantity of extract of malt and hops which was adulterated and misbranded. The article was labeled: (On bottle) "Bromstaff" (sheaf of grain flanked by two stars) "Extract of Malt & Hops Trade Mark Staff of Life Prepared Bottled and Guaranteed by The Bromstaff Malt Extract Co. New York, U. S. A. Registered by Bromstaff Malt Extract Co. Contents 12 fluid ounces. Nursing mothers should use this tonic liberally. Directions: A wineglassful with each meal and on going to bed or as may be directed by the physician. Alcohol not over 6 per cent by volume. A highly nutritive combination of the digestive qualities of Malt and Hops in a liquid which is pleasant to take put up in sterile bottles and pasteurized. For medicinal use—Not a beverage. Bromstaff Extract of Malt and Hops Staff of Life is a liquid preparation of pure Malt and Hops. The potency of Bromstaff Extract of Malt and Hops is well known to all Physicians, who, knowing its efficacy, freely prescribe it as a strengthener of vital energy, as an aid to beneficial sleep, as inducing a healthy digestion and as sharpening the appetite. Bromstaff is strictly a medicinal preparation. Bromstaff is not sold as a beverage. Directions for Use: Dose—A wineglassful before each meal and before retiring. Loss of Appetite—A wineglassful before each meal will sharpen the appetite. Sleeplessness—A wineglassful or two before retiring acts to aid beneficial sleep. Convalescents—A wineglassful at each meal and before retiring will assist a return to a healthy normal state. Nursing Mothers—A wineglassful before or during each meal and before retiring. Bromstaff Extract of Malt and Hops New York U. S. A."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 15.6° C./15.6° C-----	1.019
Alcohol (per cent by weight)-----	3.76
Extract (per cent)-----	6.73
Extract in original wort (per cent)-----	14.25
Maltose (anhydrous) (per cent)-----	2.02
Dextrin (per cent)-----	2.57
Ash (per cent)-----	0.273
Protein (per cent)-----	0.829
Phosphoric acid, as P <sub>2</sub> O <sub>5</sub> (milligrams per 100 cc)-----	105.0
Sample consisted of a fermented liquor of the nature of malt beer.	

Adulteration of the article was alleged in the information for the reason that a fermented beverage containing saccharin, but otherwise similar to beer, had been substituted, in whole or in part, for extract of malt and hops, which the article purported to be.

Misbranding was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the labels aforesaid, to wit, "Extract of Malt and Hops" and "Bromstaff Extract of Malt and Hops Staff of Life is a liquid preparation of pure Malt and Hops," were false and misleading in that they indicated to

purchasers thereof that the article was an unfermented extract of malt and hops, when, in truth and in fact, it was not, but was, to wit, a fermented beverage containing saccharin, but otherwise similar to beer. Misbranding was alleged for the further reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 28, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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**4723. Adulteration and misbranding of vanilla extract. U. S. \* \* \* v. E. B. Gallagher & Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7179. I. S. No. 20419-h.)**

On March 24, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against E. B. Gallagher & Co., a corporation, Detroit, Mich., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 11, 1914, from the State of Michigan into the State of Ohio, of a quantity of vanilla extract which was adulterated and misbranded. The article was labeled: (On retail package) "Galco Brand Confectioners' 'B' Vanilla Extract. Made From Pure Vanilla Beans. Contains 33% Alcohol. Guaranteed by E. B. Gallagher & Co. under the Food & Drugs Act, June 30, 1906. Serial No. 2280. E. B. Gallagher & Co. Detroit and Toledo."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Vanillin (gram per 100 cc)-----	0.06
Resins-----	Small amount.
Lead number-----	0.35
Color value of extract:	
Red -----	10.0
Yellow-----	42.3
Color value of lead filtrate:	
Red -----	0.6
Yellow-----	3.1
Percentage of original color in lead filtrate:	
Red -----	6.0
Yellow-----	7.3
Alcohol (per cent by volume)-----	33.60
Acidity (cc N/10 acid per 100 cc)-----	25
Ash (gram per 100 cc)-----	0.25
Soluble ash (gram per 100 cc)-----	0.19
Insoluble ash (gram per 100 cc)-----	0.06
Alkalinity of soluble ash (cc N/10 acid per 100 cc)-----	19
A dilute vanilla preparation.	

Adulteration of the article was alleged in the information for the reason that a dilute vanilla preparation had been substituted, in whole or in part, for vanilla extract which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Vanilla Extract," was false and misleading in that it indicated to purchasers thereof that the article consisted of genuine vanilla extract; and for the further reason that it was labeled "Vanilla Extract," so as to deceive and mislead purchasers into the belief that it consisted of genuine vanilla extract, when, in truth and in fact, it did not, but did consist of, to wit, a dilute vanilla preparation. Misbranding was alleged for the further reason that the article was a dilute vanilla preparation and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, vanilla extract.

On May 15, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4724. Adulteration of canned pork and beans. U. S. \* \* \* v. 114 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 7181, 7182. I. S. Nos. 2418-1, 3820-1. S. No. E-541.)

On January 27, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 114 cases of canned pork and beans, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Underwriters' Salvage Co., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On February 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4725. Adulteration of shell eggs. U. S. \* \* \* v. 13 Cases \* \* \* of Shell Eggs. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7186. I. S. Nos. 11538-1, 11540-1. S. No. C-425.)

On January 21, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 cases, each containing 30 dozen, of shell eggs, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 5, 1916, by Stolle, Dangel & Foss Co., Reedsburg, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that when it was so shipped as aforesaid it consisted in part of a decomposed animal substance, for the further reason that it consisted wholly of a decomposed animal substance, for the further reason that it consisted in part of a filthy animal substance, and for the further reason that it consisted wholly of a filthy animal substance.

On April 5, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4726. Misbranding of "Chippewa Natural Spring Water." U. S. \* \* \* v. 285 Cases \* \* \* of "Chippewa Natural Spring Water." Default decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7189. I. S. No. 10369-I. S. No. C-427.)**

On January 28, 1916, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 285 cases, each containing 12 bottles, of "Chippewa Natural Spring Water," declared to contain one-half gallon, remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped on January 5 and January 10, 1916, by the Chippewa Springs Corporation, Chippewa Falls, Wis., and transported from the State of Wisconsin into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended. The bottles containing the article were labeled: (Principal label) "Chippewa Natural Spring Water The World's Famous Table Water. A Pure Water and remedial in its Purity Analysis Potassium Sulphate 0.08 Sodium Sulphate 0.09 Sodium Chloride 0.07 Sodium Carbonate 0.11 Sodium Phosphate 0.02 Sodium Borate Traces Iron Carbonate 0.03 Calcium Carbonate 0.80 Magnesium Carbonate 0.44 Alumina 0.01 Silica 0.42 Organic Matter None Total 2.07 grains per gal." (Cut of Indian head.) "'Chippewa' Chief of Table Waters Beneficial and Remedial in cases of Typhoid Fever, Kidney Diseases, Rheumatism, Gout, Constipation, Indigestion, Headache, etc. Bottled and Sealed at the Springs under the highest sanitary conditions. 'This is the Purest and Softest Natural Water that I have ever examined Its Softness and Purity are extraordinary' Signed Chas. W. Drew Ph.B. M. D. Chemist City of Minneapolis" (Cuts of bows and arrows.) "Chippewa Springs Corporation Chippewa Falls, Wis. U. S. A. Contents One Half Gallon." (Neck label) "Bottled and sealed at the Spring Unbroken seal guarantees purity C S Co. Highest award over all waters for purity and excellence awarded Chippewa, St. Louis 1904, Chippewa The Purest Natural Water The \$6,000.00 Court Challenge open to the World It has been proven that Chippewa is the only Natural Water that will stand a chemical test for purity. A remarkable test was recently given in a claim for damages before Judge Eastman of Chicago—growing out of the substitution of Waukesha Water, labeled and sold as 'Chippewa' by a water Company in Chicago. The case rested on a test given by the plaintiff (Chippewa Spring Co.) in Court. 'Chippewa' under a chemical test, proved to be pure, the plaintiff challenging the defendants to produce any other natural water that would stand the test, and offering to waive all claim for damages (\$6,000) if such water could be produced. Many well known waters were thereupon presented by the defendants and tested in the District Court, none of which would stand the test, the court finally awarded judgment in favor of the Chippewa Springs Co. The Purest and Softest Natural Water."

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the curative and therapeutic effects thereof, appearing on the printed labels attached to and accompanying each bottle: "Chippewa Natural Spring Water \* \* \* A Pure Water and remedial in its Purity, \* \* \* Beneficial and Remedial in cases of Typhoid Fever, Kidney Diseases, Rheumatism, Gout, Constipation, Indigestion, Headache, etc., \* \* \* Chippewa Springs Corporation Chippewa Falls, Wis., U. S. A. Contents One Half Gallon," were feloniously and fraudulently made with the intention to create the impression that the article was efficacious for the treatment of the diseases mentioned, whereas, it contained no ingredient or combination of in-

gredients capable of producing the therapeutic effects claimed or labeled as herein quoted.

On May 22, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to the Chippewa Springs Co., Minneapolis, Minn., upon payment of all the costs of the proceedings and the execution of bond in the sum of \$50, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4727. Adulteration of tomato pulp. U. S. \* \* \* v. 300 Cans \* \* \* of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7190. I. S. No. 1542-I. S. No. E-542.)**

On January 28, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 300 cans, each containing, approximately, five gallons, of tomato pulp, remaining unsold in the original unbroken packages at Albion, N. Y., alleging that the article had been shipped on December 17, 1915, by the Eavey Packing Co., Xenia, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

The allegations in the libel were to the effect that the article was adulterated for the reason that it consisted in part of a filthy, decomposed, and moldy vegetable substance and contained excessive quantities of yeasts, spores, and bacteria, which rendered the article unfit for human food.

On February 15, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4728. Adulteration of stramonium leaves. U. S. v. Percy E. Anderson et al. (P. E. Anderson & Co.). Plea of guilty. Fine, \$15. (F. & D. No. 7192. I. S. No. 3087-h.)

On May 3, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Percy E. Anderson and Charles W. Anderson, copartners, trading as P. E. Anderson & Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on March 4, 1914, by their agent, Alfred Stubbs, from the State of New York into the State of California, of a quantity of stramonium leaves, which article was adulterated. The article was labeled: (On shipping package) "Po Stramonium Leaf 10 lbs. From P. E. Anderson & Co. Drug Merchants Office 99 John Street New York Warehouse Atlantic Terminal Brooklyn."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Mydriatic alkaloids (per cent)-----	0.16
Ash (per cent)-----	25.87

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation of said article, in that said drug contained approximately 0.16 per cent of mydriatic alkaloids, whereas said Pharmacopœia provides that it should contain not less than 0.25 per cent of mydriatic alkaloids, and the standard of strength, quality, and purity of the article was not declared on the container thereof.

On May 8, 1916, a plea of guilty was entered on behalf of the defendant firm, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4729. Adulteration of tomato pulp. U. S. \* \* \* v. 1,600 Cases \* \* \*  
of Tomato Pulp. Default decree of condemnation, forfeiture, and de-  
struction. (F. & D. No. 7193. I. S. No. 11133-I. S. No. C-432.)**

On January 29, 1916, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,600 cases of tomato pulp, remaining unsold in the original unbroken packages at Galveston, Tex., alleging that the article had been shipped, on or about August 28, September 9, and October 24, 1915, by Roberts Bros., Baltimore, Md., and transported from the State of Maryland into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "4 doz. 10 ounces each No. 1 Roberts Bros. Big R Brand Trade mark Tomato Pulp. Main office Baltimore, Md." The cans were labeled: "Big R Brand Tomato Pulp. Distributed by Roberts Bros., Main Office Baltimore, Md. Contents weigh 10 oz. Made from pieces and trimmings of tomatoes."

The allegations in the libel were to the effect that the article was adulterated by being decomposed and putrid.

On April 10, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4730. Adulteration of walnuts. U. S. \* \* \* v. 15 Bags of Walnuts.**  
**\* \* \* Consent decree of condemnation and forfeiture. Product**  
**ordered released on bond. (F. & D. No. 7195. I. S. Nos. 11279-1, 11536-1.**  
**S. No. C-424.)**

On February 1, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 15 bags, each containing about 106 pounds, of walnuts, remaining unsold in the original unbroken packages at Youngstown, Ohio, alleging that the article had been shipped by Zucca & Co., New York, N. Y., and transported from the State of New York into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article consisted in part of a decomposed vegetable substance, the presence of which in the walnuts rendered the same a filthy and decomposed vegetable substance unfit for food, or as an ingredient of food, and on account of the condition of said walnuts it was charged that the same were adulterated.

On March 7, 1916, the court having found that the allegations in the libel had been admitted to be true, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to Antonio Zucca, doing business as Zucca & Co., New York, N. Y., the owner thereof, upon payment of the costs of the proceeding and the execution of bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the product should be used only for manufacturing purposes in the manufacture of paint.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4731. Misbranding of "Depurativo Carson Universal." U. S. \* \* \* v. 4½ Dozen Packages of \* \* \* "Depurativo Carson Universal." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7196. I. S. No. 3336-I. S. No. E-529.)**

On February 3, 1916, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4½ dozen packages of a product called "Depurativo Carson Universal," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped, on or about November 4, 1915, by the Guardias Ointment Co., New York, N. Y., and transported from the State of New York into the Territory of Porto Rico, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled, in part: (On bottles) "Remedy for Rheumatism and all Blood Diseases Depurativo Carson Universal Manufactured by Kane & Behrens, New York City." The circular, in English and Spanish, accompanying the product contained, among other things, the following: "Carson's Universal Blood Purifier \* \* \* an infallible remedy for all the following ailments can be assured: Salt Rheum \* \* \* Scrofula and Tumors of all kinds \* \* \* Syphilis \* \* \* Rheumatism \* \* \* Ulcers or Sores \* \* \* Women Diseases \* \* \* Fistulas and Erysipelas."

Misbranding of the article was alleged in the libel for the reason that the statements in the circulars accompanying the bottles and on the labels of the bottles or packages as set out above were false, fraudulent, and misleading, a chemical analysis of the article showing that it did not contain any ingredients or combination of ingredients capable of producing the claims and results set out upon the label or in the circular aforesaid. It was further alleged in the libel that the article was mislabeled and misbranded as aforesaid so as to deceive and mislead the purchaser or purchasers thereof, in that the label or wrapper around the bottles contained statements regarding the article and the ingredients and substances contained therein which were fraudulent and misleading, that is to say, said label and circular were calculated to lead the public to believe that the article was a useful and good medicine and would cure the various ills, diseases, and complaints as set out in said circular and label, whereas, in fact and in truth, it was not of a medicinal nature such as would produce any such results, and was utterly worthless for that purpose.

On March 17, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4732. Adulteration and misbranding of cognac, and misbranding of "Liquore St. Rega." U. S. v. Adolph Voltter. Plea of guilty. Fine, \$50.**  
(F. & D. No. 7201. I. S. Nos. 1365-k, 1367-k.)

On May 4, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolph Voltter, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on May 8, 1914, from the State of New York into the State of Ohio, of quantities of cognac and "Liquore St. Rega," the first of which was adulterated and misbranded, and the latter misbranded.

The cognac was labeled: (Neck label) (Design of three stars) "Grande Fine Champagne." (Main label) (Design of shield) "Trade Mark Cognac Type Fin Vieux Brandy Alarqu d' Armoiries Net Contents 23 ounces A Compound Guaranteed by The General Importing Co., N. Y. Serial No."

Analysis of a sample of this article by the Bureau of Chemistry of this department showed the following results, expressed as parts per 100,000 of 100° proof spirits unless otherwise stated:

Proof at 60° F. (degrees)-----	72.8
Total acids (as acetic)-----	10.7
Esters (as acetic)-----	4.8
Fusel oil (as amyl alcohol)-----	3.6

Product was a mixture of neutral spirits and alcohol.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, neutral spirits, had been substituted, in whole or in part, for cognac (or cognac type or fine old brandy, as the case might be), which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Cognac," borne on the label of the bottle, regarding the article and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was cognac, a brandy produced in the Cognac district of France, and for the further reason that it was labeled "Cognac" so as to deceive and mislead the purchaser into the belief that it was cognac, a brandy produced in the Cognac district of France, whereas, in truth and in fact, it was not, but was a mixture largely composed of neutral spirits, produced in the United States of America. Misbranding was alleged for the further reason that the statement in French and English, to wit, "Fin Vieux Brandy," borne on the label of the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was fine old brandy; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was fine old brandy, whereas, in truth and in fact, it was not, but was a mixture composed largely of neutral spirits. Misbranding was alleged for the further reason that the article was a product produced in the United States of America, to wit, the city of New York, State of New York, and purported to be a foreign product, to wit, a cognac produced in the Cognac district of France.

The "Liquore St. Rega" was labeled: (On neck and sticker) "Marca di Fabrica Depositata" (Representation of coat of arms.) (Main label) "Gran Liquore Della St. Rega Specialita Italiana" (Representation of coats of arms and medals.) (Back label) "Net Contents 23 Ounces Artificial Coloring Guaranteed by A. Voltter Under Pure Food and Drugs Act June 30, 1906. Serial No. 54159."

Analysis of a sample of this article by said Bureau of Chemistry showed that it was of the following composition:




Specific gravity at 15.5° C./15.5° C_____	1.01639
Alcohol (per cent by volume)_____	22.50
Solids (per cent)_____	5.89
Color: Fast yellow, corresponds in all reactions to S. & J. No. 9.	
Potassium cyanid test_____	Negative.
Orange flavor.	

The composition of the product was not similar to that of the genuine imported liquor St. Rega.

Misbranding of this article was alleged for the reason that the statement, to wit, "Gran Liquore Della St. Rega Specialita Italiana," borne on the label thereof, regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was a foreign product, to wit, a genuine liquor St. Rega, an article produced in the Kingdom of Italy, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a foreign product as aforesaid, whereas, in truth and in fact, it was not, but was an imitation product of domestic origin. Misbranding was alleged for the further reason that the product was an article produced in the United States of America, to wit, in the city of New York, State of New York, and purported to be a foreign product, to wit, a genuine liquor St. Rega, an article produced in the Kingdom of Italy.

On May 12, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

 CARL VROOMAN, *Acting Secretary of Agriculture.*

4733. Misbranding of "Gray Mineral Water." U. S. \* \* \* v. William Baird, et al. (William Baird & Son). Plea of guilty. Fine, \$20 and costs. (F. & D. No. 7202. I. S. No. 2101-k.)

On June 1, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Baird and William A. Baird, trading as William Baird & Son, Cambridge Springs, Pa., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about November 28, 1914, from the State of Pennsylvania into the State of New York, of a quantity of "Gray Mineral Water" which was misbranded. The article was labeled: (Main label) "Gray Mineral Water Nature's Own Cure For all diseases of the Stomach, Liver, Bowels, Kidneys and Urinary Organs. Also Rheumatism, Neuralgia, Gout, Nervous Disorders, etc. etc. A General Tonic-Drink one or two glasses thirty minutes before breakfast, and two or more midway between meals. A glass or two taken before retiring induces sleep. America's Choicest Table Water unequaled in its Crystal Clearness, Pleasant Taste and Absolute Purity. Develops the Bouquet of Wines & Liquors. Bottled at the Spring Cambridge Springs, Pa. by Wm. Baird." (Trade Mark) "W. G. Lay this Bottle on its side in a cool place." (Neck label) "Hotel Riverside. In connection with the Spring. First-Class Accommodations for Four Hundred Guests. Open the year round. A delightful Home for Convalescents and all in search of health, recreation or rest. Steam Heat, Electric Lights Mineral Water flowing in Hotel Office. Send for Catalogue. Perfect Bath Apartments within Hotel Building. All kinds of Baths given in the Mineral Water by Expert Attendants. Livery Service Unsurpassed. Boating and Driving the finest. Good Shooting and Fishing in Season. Climate Healthful. Elevation 1300 feet above Sea level."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

Ions:

Sulphuric acid (SO <sub>4</sub> )	0.7
Carbonic acid (CO <sub>2</sub> )	0.0
Bicarbonic acid (HCO <sub>3</sub> )	229.5
Nitric acid (NO <sub>3</sub> )	0.4
Nitrous acid (NO <sub>2</sub> )	0.0
Chlorin (Cl)	80.0
Iron (Fe): Low, no sediment.	
Calcium (Ca)	10.6
Magnesium (Mg)	2.4
Sodium (Na) }	121.8
Potassium (K) }	
Ammonium (NH <sub>4</sub> )	0.3
Total	445.7

Hypothetical combinations:

Ammonium chlorid (NH <sub>4</sub> Cl)	0.9
Sodium nitrate (NaNO <sub>3</sub> )	0.6
Sodium chlorid (NaCl)	130.9
Sodium sulphate (Na <sub>2</sub> SO <sub>4</sub> )	1.1
Sodium bicarbonate (NaHCO <sub>3</sub> )	254.8
Magnesium bicarbonate (Mg(HCO <sub>3</sub> ) <sub>2</sub> )	14.5
Calcium bicarbonate (Ca(HCO <sub>3</sub> ) <sub>2</sub> )	42.9
Total	445.7

Pressure (one bottle), 23 pounds per square inch.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof appearing on the label aforesaid, to wit, "Nature's own cure. For all diseases of the Stomach, Liver, Bowels, Kidneys and Urinary Organs. Also Rheumatism, Neuralgia, Gout, Nervous Disorders, Etc. \* \* \*," were false and fraudulent in this, that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a cure for all diseases of the stomach, liver, bowels, kidneys and urinary organs, rheumatism, neuralgia, gout, and nervous disorders, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

Misbranding was alleged for the further reason that the following statements regarding the article and the ingredients and substances contained therein appearing on the label aforesaid, to wit, "Gray Mineral Water \* \* \* America's choicest table water unequaled in its crystal clearness, pleasant taste and absolute purity," were false and misleading in that they indicated to purchasers thereof that the article consisted of natural mineral water, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of natural mineral water, when, in truth and in fact, it did not, but did consist of artificially carbonated mineral water.

Misbranding was alleged for the further reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Gray Mineral Water \* \* \* Bottled at the Spring \* \* \*," were false and misleading in that they indicated to purchasers thereof that the article was derived from and bottled at Gray Mineral Spring, located at what is known as the Gray Farm, Cambridge Springs, Pa., and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that the article was derived from and bottled at Gray Mineral Spring, as aforesaid, when, in truth and in fact, it was not.

Misbranding was alleged for the further reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On June 1, 1916, a plea of guilty was entered on behalf of the defendants, and the court imposed a fine of \$20 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4734. Adulteration of canned beans. U. S. \* \* \* v. 18 Cases of Beans.  
Default decree of condemnation, forfeiture, and destruction. (F. & D.  
No. 7203. I. S. Nos. 2420-1, 2421-1. S. No. E-543.)

On February 3, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 18 cases of beans, remaining unsold in the original unbroken packages at Peabody, Mass., alleging that the article had been shipped by the Twitchell-Champlin Co., Portland, Me., and transported from the State of Maine into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On February 29, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4735. Adulteration of smoked herring. U. S. \* \* \* v. 19 Bags of Smoked Herring. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7207. I. S. No. 2424-1. S. No. E-548.)

On February 4, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 19 bags of smoked herring, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by W. R. Benson, New Brunswick, Canada, and transported from the Dominion of Canada, a foreign country, into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On February 29, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**473G. Misbranding of tomato pulp. U. S. v. Owen A. Hartlove (Hartlove Packing Co.). Plea of guilty. Fine, \$50. (F. & D. No. 7208. I. S. No. 3513-k.)**

On March 28, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Owen A. Hartlove, trading as Hartlove Packing Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 1, 1915, from the State of Maryland into the State of New Jersey, of a quantity of tomato pulp which was misbranded. The article was labeled: "Calhoun Brand Tomato Pulp Contents 11 ounces or over Packed by Hartlove Packing Company, Baltimore, Md."

Examination of 8 cans from a sample of the article by the Bureau of Chemistry of this department showed an average shortage per can of three-fourths of an ounce, or 6.8 per cent.

Misbranding of the article was alleged in the information for the reason that the following statement regarding it and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Contents 11 ounces or over," was false and misleading in that it indicated to purchasers thereof that each of the cans contained 11 ounces or over of the article of food, whereas, in truth and in fact, each of the cans did not contain 11 ounces of the article. Misbranding was alleged for the further reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On March 28, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4737. Adulteration and misbranding of tomato pulp. U. S. \* \* \* v. 100 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7209. I. S. No. 3534-I. S. No. E-535.)**

On February 4, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases, each containing four dozen cans, of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Booth Packing Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, the shipment having been received on or about December 28, 1915, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cases were labeled: "4 Doz. cans 10 oz. each. Size No. 1 Diamond Brand Tomato Pulp for Soup. Distributors D D Mallory and Co. Baltimore Md. Depew New York N. Y."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a filthy, decomposed, or putrid vegetable substance, to wit, moldy, decomposed tomatoes.

Misbranding was alleged for the reason that the article was in package form and the true quantity of the contents was not plainly and conspicuously marked on the outside of the packages in terms of weight, measure, or numerical count.

On February 23, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4738. Adulteration and misbranding of champagne, sparkling nebiolo and moscato. U. S. \* \* \* v. Ferdinand Giachino (Piemont Wine Cellars). Plea of guilty. Fine, \$15. (F. & D. No. 7215. I. S. Nos. 971-k, 972-k, 2713-k.)**

On April 24, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ferdinand Giachino, trading as Piemont Wine Cellars, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, in the name of C. Vazzoler, on January 27, 1915, from the State of New York into the State of Massachusetts, of quantities of champagne, sparkling nebiolo, and moscato, which were adulterated and misbranded. The champagne was labeled: (Neck label) "'Champagne' Special." (Main label) "Grand" (Representation of hand gripping arrow) "Mousseux Pierre Rutilard & Cie. Reims." The sparkling nebiolo was labeled: (Neck label) (Representation of crown and bunches of grapes on vine) "French Italian Importing Co., New York." (Main label) (Representation of crown and bunches of grapes on vine) "Sparkling Nebiolo French Italian Importing Co. New York." The moscato was labeled: (Neck label) "Moscato TBC Spumanté." (Main label) (Representation of coat of arms) "Vini Scelti Moscato Wine Qualita Superiore."

Analyses of samples of these articles by the Bureau of Chemistry of this department showed that they were artificially carbonated, as shown by the low percentage of carbon dioxide in the successive portions of gas withdrawn and by the failure of the samples to recover their pressure after long standing.

Adulteration of the articles was alleged in the information for the reason that an artificially carbonated wine had been substituted, in whole or in part, for champagne and for bottle-fermented wines, which the articles respectively purported to be.

Misbranding of the champagne was alleged for the reason that the following statement regarding it and the ingredients and substances contained therein, appearing on the neck label aforesaid, to wit "Champagne," was false and misleading in this, that it indicated to purchasers thereof that the article was champagne; and for the further reason that it was labeled "Champagne" so as to deceive and mislead purchasers into the belief that it was champagne, when, in truth and in fact, it was not, but was, to wit, an artificially carbonated wine. Misbranding was alleged for the further reason that the article consisted of an artificially carbonated wine and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, champagne. Misbranding was alleged for the further reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the labels aforesaid, to wit, "Champagne \* \* \* Grand \* \* \* Mousseux Pierre Rutilard & Cie. Reims," were false and misleading in that they indicated to purchasers thereof that the article was of foreign origin and had been produced in the city of Reims, Republic of France, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was of foreign origin and had been produced in the city of Reims, Republic of France, when, in truth and in fact, it was not of foreign origin and had not been produced in the city of Reims, Republic of France, but was a domestic product, manufactured in the United States of America, to wit, city of New York, State of New York. Misbranding was alleged for the further reason that the article was a domestic product and had been manufactured in the United States of America, to wit, city of New York, State of New York, and purported to be of foreign origin, to wit, a product of the city of Reims, Republic of France.

Misbranding was alleged for the further reason that the article consisted of food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

Misbranding of the sparkling nebiolo was alleged for the reason that the following statement, regarding it and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Sparkling Nebiolo," was false and misleading in that it indicated to purchasers thereof that the article was a bottle-fermented wine, and for the further reason that it was labeled "Sparkling Nebiolo" so as to deceive and mislead purchasers into the belief that it was a bottle-fermented wine, when, in truth and in fact, it was not a bottle-fermented wine, but was an artificially carbonated wine. Misbranding was alleged for the further reason that the article consisted of an artificially carbonated wine, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, sparkling nebiolo. Misbranding was alleged for the further reason that the following statements, regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Sparkling Nebiolo French Italian Importing Co. New York," were false and misleading in that they indicated to purchasers thereof that the article was of foreign origin, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers thereof into the belief that it was of foreign origin, when, in truth and in fact, it was not of foreign origin but was of domestic origin, to wit, a product manufactured in the city of New York, State of New York. Misbranding was alleged for the further reason that the article was of domestic origin and had been manufactured in the city of New York, State of New York, United States of America, and purported to be of foreign origin. Misbranding was alleged for the further reason that the article consisted of food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

Misbranding of the moscato was alleged for the reason that the following statement, regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Moscato \* \* \* Spumante," was false and misleading in that it indicated to purchasers thereof that the said article was a bottle-fermented wine, and for the further reason that it was labeled "Moscato \* \* \* Spumante" so as to deceive and mislead purchasers into the belief that it was a bottle-fermented wine, when, in truth and in fact, it was not a bottle-fermented wine, but was, to wit, an artificially carbonated wine. Misbranding was alleged for the further reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the labels aforesaid, to wit, "Moscato \* \* \* Spumante \* \* \* Vini Scelti Moscato \* \* \* Qualita Superiore," were false and misleading in that they indicated to purchasers thereof that the article was of foreign origin, when, in truth and in fact, it was not, but was of domestic origin, to wit, a product manufactured in the City of New York, State of New York. Misbranding was alleged for the further reason that the article was a domestic product and had been manufactured in the United States of America, to wit, city of New York, State of New York, and purported to be of foreign origin. Misbranding was alleged for the further reason that the product consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On April 28, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$15.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4740. Adulteration of condensed milk. U. S. \* \* \* v. 146 Cases \* \* \* of Condensed Milk. Consent decree of condemnation, forfeiture, and destruction. (F. & D. No. 7221. I. S. No. 1291-I. S. No. E-552.)**

On February 14, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 146 cases of condensed milk, consigned by the Holland Food Corporation, New Orleans, La., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about February 7, 1916, and transported from the State of Louisiana into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The shipping containers were marked, in part: "Sweetened Condensed Thick Milk For Manufacturing Purposes Only \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed animal substance.

On March 3, 1916, the Holland Food Corporation, New York, N. Y., claimant, having appeared, but no answer having been filed in the premises, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, *Acting Secretary of Agriculture.***



**4741. Adulteration of tomato pulp. U. S. v. Emanuel H. Miller, et al. (Miller Bros. & Co.). Plea of nolo contendere. Fine, \$10. (F. & D. No. 7223. I. S. No. 12280-k.)**

On April 11, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Emanuel H. Miller and William Miller, trading as Miller Bros. & Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 16, 1914, from the State of Maryland into the State of Indiana, of a quantity of tomato pulp which was adulterated. The article was labeled: "Jumbo Brand Tomato Pulp Contents 10 ozs. Tomato Pulp Used for making soups, sauces, gravies and for seasoning purposes. Packed by Miller Bros. & Co. Baltimore, Md. U.S.A. Jumbo Brand Trade Mark Registered U. S. Pat. Off." (representation of elephant's head).

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Can No.	Yeasts and spores per $\frac{1}{8}$ cmm.	Bacteria per cc.	Per cent of microscopic fields con- taining mold fila- ments.
1.....	74	77,000,000	80
2.....	86	64,000,000	90
3.....	116	43,000,000	86
4.....	86	60,000,000	88

No visible evidence of active spoilage when opened.

A partially decomposed vegetable product.

Excessive sand in samples.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a decomposed vegetable substance.

On April 11, 1916, a plea of nolo contendere was entered on behalf of the defendants, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4739. Adulteration of beans. U. S. \* \* \* v. 580 Sacks \* \* \* of Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7216. I. S. Nos. 12542-1, 12543-1. S. No. C-445.)**

On February 7, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 580 sacks, each containing approximately 140 pounds, of beans, consigned by the Alfred J. Brown Seed Co., Grand Rapids, Mich., remaining unsold in the original unbroken packages at Cincinnati, Ohio, alleging that the article had been shipped and transported from the State of Michigan into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained, and consisted in part of, a decomposed vegetable substance.

On March 8, 1916, L. Maurice Brown, Grand Rapids, Mich., claimant, having admitted the facts set out in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released and restored to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the beans should be ground and used for animal food only, under the supervision of a food and drugs inspector or any representative of the United States Department of Agriculture duly authorized.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4742. Adulteration of smoked herring. U. S. \* \* \* v. 205 Bags of Smoked Herring. Consent decree of condemnation. Portion of product ordered released on bond; remainder of product ordered destroyed. (F. & D. No. 7229, I. S. No. 3831-I. S. No. E-554.)**

On February 17, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 205 bags of smoked herring, remaining unsold in the original unbroken packages at Gloucester, Mass., alleging that the article had been shipped by Angus Cossobon, New Brunswick, Canada, and transported from the Dominion of Canada, a foreign country, into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed animal substance.

On June 1, 1916, the owner of the product having filed its claim, and the case having come on for hearing upon stipulation filed in the case by the parties to the action, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the herring should be returned to the claimant upon payment of costs of the proceedings and the giving of satisfactory bond conditioned that the adulterated portion of the herring should be removed from that portion free from adulteration, and that the portion so adulterated should be forthwith destroyed.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4743. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Barrels of Vinegar \* \* \*. Default decree of condemnation and forfeiture. Product ordered sold or destroyed. (F. & D. No. 7235. I. S. No. 12422-1. S. No. C-454.)**

On February 29, 1916, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels, more or less, each containing approximately 50 gallons, of a product purporting to be cider vinegar, remaining unsold in the original unbroken packages at Delavan, Wis., alleging that the article had been shipped, on or about October 28, 1915, by Barrett & Barrett, Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Barrett & Barrett Chicago Cider Vinegar always good reduced to 4½% Acetic Strength Lot 153 C."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed with cider vinegar so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that distilled vinegar or dilute acetic acid had been substituted in part for cider vinegar.

Misbranding was alleged for the reason that the label upon the barrels bore the statement regarding the article that the same was cider vinegar, which statement was false and misleading in that the article was not cider vinegar, but was, in truth and in fact, a mixture in which distilled vinegar or dilute acetic acid was mixed and packed with cider vinegar, and for the further reason that the article was an imitation of cider vinegar, and was offered for sale under the distinctive name of cider vinegar, but, in truth and in fact, was not cider vinegar, but a mixture in which distilled vinegar or dilute acetic acid had been mixed and packed with cider vinegar. Misbranding was alleged for the further reason that the label bore the statement regarding the article that the same was cider vinegar in such form and display on said label as to give the impression that it was pure cider vinegar reduced to 4½ per cent acetic acid strength, whereas, in truth and in fact, it was not pure cider vinegar, but was a mixture in which distilled vinegar or dilute acetic acid had been mixed and packed with cider vinegar, and such statements on the labels were false and misleading, and said food product was, on account thereof, so labeled and branded as to deceive and mislead the purchaser thereof.

On April 29, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal or destroyed.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4744. Adulteration of dried fruit. U. S. \* \* \* v. 20 Cases of Dried Fruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7237. I. S. Nos. 12425-1 to 12430-1, inclusive. S. No. C-458.)**

On March 4, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 box Santa Cruz brand dried prunes, 3 boxes Pomona brand dried peaches, 2 boxes Nonpareil brand apricots, 6 boxes Dinuba brand raisins, 5 boxes King County raisins, and 3 boxes Nonpareil brand raisins, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the articles had been shipped on February 14, 1916, by Charles W. Bauermeister Co., Terre Haute, Ind., and transported from the State of Indiana into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the articles was alleged in the libel for the reason that when they were so shipped as aforesaid they consisted in part of a decomposed vegetable substance, for the further reason that they consisted in part of a decomposed animal substance, for the further reason that they consisted in part of a filthy vegetable substance, and for the further reason that they consisted in part of a filthy animal substance.

On April 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4745. Adulteration of "Street's Onion Salad." U. S. \* \* \* v. 20 Cases**  
**\* \* \* of "Street's Onion Salad." Default decree of condemnation,**  
**forfeiture, and destruction. (F. & D. No. 7238. I. S. No. 10382-1. S. No.**  
**C-456.)**

On March 6, 1916, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, each containing 24 twelve-ounce jars, of "Street's Onion Salad," remaining unsold in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped, on or about September 23, 1915, by the Bay State Relish Co., Chicago, Ill., and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the Food and Drugs Act. The cases were labeled: "Street's Onion Salad, Pittsburgh, Pa. and Chicago, Ill." The jars were labeled: "Street's Onion Salad—For Table Use—Made with Onions, cabbage, cucumbers, mustard, dressing with turmeric and spices—Manufactured and guaranteed by Bay State Relish Co., Chicago, Ill. Minimum Net Weight 12 Oz."

Adulteration of the article was alleged in the libel for the reason that a product composed in part of saccharin had been substituted for onion salad, and that saccharin had been substituted, wholly or in part, for sugar, a normal ingredient of onion salad, and that saccharin had been added, mixed, and packed with the onion salad, such saccharin being a deleterious ingredient, a substance injuriously affecting the quality of the article, which product might render the onion salad injurious to the health.

On April 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4746. Adulteration and misbranding of acid acetylo salicylic or aspirin. U. S. v. Wm. A. Webster Co., a corporation. Plea of guilty. Fine, \$200 and costs. U. S. v. Bernard Zar. Plea of guilty. Fine, \$350 and costs. (F. & D. Nos. 7239, 7239-a. I. S. Nos. 11513-1, 11639-1.)**

On February 25, 1916, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in two counts against Bernard Zar, Memphis, Tenn., and on March 18, 1916, an information against the Wm. A. Webster Co., a corporation, Memphis, Tenn., alleging: (1) Shipment by the defendant Zar, on or about September 15, 1915, from the State of Tennessee into the State of Illinois, and on October 1, 1915, from the State of Tennessee into the State of Louisiana, of quantities of acid acetylo salicylic, which were adulterated and misbranded; and (2) shipment by the Wm. A. Webster Co., on or about October 1, 1915, from the State of Tennessee into the State of Illinois, of a quantity of said product, which was also adulterated and misbranded.

The shipment by the defendant corporation and the shipment by defendant Zar into Illinois were branded "25 Pounds—A.A.S."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Acetylsalicylic acid (per cent)-----	20.10
Lactose (per cent)-----	61.48
Starch (per cent)-----	17.36
Moisture (per cent)-----	2.22

The shipment by defendant Zar into Louisiana was labeled "500 5-Grain Tablets Acid Acetylo-Salicylic."

Analysis of a sample of this article by said Bureau of Chemistry showed the following results:

Starch -----	Present.
Acetylsalicylic acid:	
By weight (melting point 130° C.) (per cent)-----	17.60
By titration (per cent)-----	18.18
Reducing sugars as lactose (per cent)-----	60.00
Free salicylic acid-----	Trace.
Ash (per cent)-----	3.48
Talc -----	Indicated.
Acetylsalicylic acid (grains per tablet)-----	1.13
Shortage (per cent) -----	77.40

Adulteration of the article shipped by the defendant corporation and by defendant Zar to Illinois was alleged in the informations for the reason that it fell below the professed standard under which it was sold.

Misbranding was alleged for the reason that the can containing the article [branded] "25 Pounds—A.A.S.," which said designation "A.A.S." is known in the trade as "Acid Acetylo Salicylic" and is also known in the trade as "Aspirin," was offered for sale under the name of another article, to wit, "Genuine Acid Acetylo-Salicylic," whereas, in truth and in fact, it was an imitation of genuine acid acetylo salicylic. It was further alleged that the article was not the type of product represented on the said label, but was approximately only 20 per cent pure.

It was alleged in the second count of the information against defendant Zar with respect to the article shipped by him into the State of Louisiana that said article was adulterated and misbranded within the true intent and meaning of the Food and Drugs Act, and, further, that the article was not the type

of product represented in the label, but approximately only 20 per cent pure, and that the tablets labeled "5-Grain" did not contain five grains of acid acetylo salicylic.

On February 25, 1916, the defendant Zar entered a plea of guilty to the information that had been filed against him, and the court imposed a fine of \$175 on each of the two counts of the information, with costs, making an aggregate fine of \$350.

On March 18, 1916, the defendant corporation entered a plea of guilty to the information that had been filed against it, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4747. Adulteration of dried peaches. U. S. \* \* \* v. 68 Boxes of Dried Peaches. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7245. S. No. E-561.)

On March 13, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 68 boxes of dried peaches, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the California Dried Fruit Co., San Francisco, Cal., and transported from the State of California into the State of New York, the shipment arriving on or about February 20, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "J B 16 Halmstadt—12 1/2 kilos for export Valhalla Brand Choice Peaches California Dried Fruit Trading Co., San Francisco, California, U. S. A."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance, particularly in that said article of food was badly fermented and moldy.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4748. Adulteration of lard. U. S. \* \* \* v. 2 Cans of Lard. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7246. I. S. No. 4166-1. S. No. E-560.)

On March 14, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of two cans, each containing approximately 40 pounds, of lard, returned by A. G. McDade, Portland, Ohio, to A. E. Gruber, Allegheny, Pa., the original shipper, remaining unsold in the original packages at Pittsburgh, Pa., alleging that the article had been shipped, on or about February 26, 1916, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "For A. E. Gruber, Allegheny, Pa., from A. G. McDade Wholesale Shipper of Produce and Livestock, Portland, Ohio."

Adulteration of the article was alleged in the libel for the reason that it was rancid and consisted, in whole or in part, of a decomposed animal substance unfit for food.

On March 30, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VBROOMAN, *Acting Secretary of Agriculture.*



**4749. Adulteration of canned peas. U. S. \* \* \* v. 85 Cases of Canned Peas. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7247. S. No. E-562.)

On March 15, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 85 cases of canned peas, remaining unsold in the original packages at New York, N. Y., alleging that the article had been shipped by the National Grocer Co., Fall River, Mass., and transported from the State of Massachusetts into the State of New York, the shipment having been received on or about March 3, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Two Dozen No. 2 Hatchet Brand Banquet Peas Twitchell-Champlin Co., Portland, Maine and Boston, Mass."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, or putrid vegetable substance.

On April 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4750. Adulteration of tomato paste. U. S. \* \* \* v. 11 Barrels of Tomato Paste. Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7251. I. S. No. 20253-1. S. No. E-565.)

On March 31, 1916, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 11 barrels of tomato paste, consigned by Parodi, Erminio & Co. (Inc.), San Francisco, Cal., remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped on February 25, 1916, and transported from the State of California into the State of Maine, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substances.

On May 15, 1916, no answer having been filed to the libel, proclamation was made and default was entered, and thereupon decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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U. S. DEPARTMENT OF AGRICULTURE,  
BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

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SERVICE AND REGULATORY ANNOUNCEMENTS.  
SUPPLEMENT.

N. J. 4751-4800.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., May 26, 1917.]

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NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

4751. Adulteration and misbranding of "Croft's Milk Cocoa." U. S. \* \* \* v. Croft & Allen Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7253. I. S. No. 493-k.)

On May 11, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against the Croft & Allen Co., a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 14, 1914, from the State of Pennsylvania into the State of New Jersey, of a quantity of "Croft's Milk Cocoa" which was adulterated and misbranded. The article was labeled: (On main label) "Croft's Milk Cocoa Manufactured under special process by Croft & Allen Co. Philadelphia U. S. A. One Half Pound Net When Packed Copyright 1901 by Croft & Allen Co. Croft's." (Picture of dairy farm, showing milkmaid and cow.) (On sticker) "Guarantee Manufactured and Guaranteed by Croft & Allen Co., Philadelphia, Pa., under the Food and Drugs Act, June 30, 1906. Serial No. 3373. Directions To each cup of milk use one or more teaspoonfuls of Cocoa. First put the Cocoa into a cup and add enough boiling water to make a paste; slowly pour paste into hot milk, bring to a boil. Boiling one or two minutes will improve it very much."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of cocoa, to which had been added 7.24 per cent of sugar, and about 9 per cent of solids derived from partly skimmed milk rather than from milk.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, sugar, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted, in whole or in part, for milk cocoa, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Milk Cocoa," was false and misleading in that it indicated to purchasers thereof that the article consisted of milk cocoa, and for the further reason that it was labeled "Milk Cocoa" so as to deceive and mislead purchasers into the belief that it consisted of milk cocoa, when, in truth and in fact, it did not consist of milk cocoa.

On May 15, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4752. Adulteration and misbranding of canned pork and beans. U. S. \* \* \* v. Wm. E. Morris, trading as David Morris & Son. Plea of guilty. Fine, \$10. (F. & D. No. 7255. I. S. No. 4844-k.)

On May 11, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Wm. E. Morris, trading as David Morris & Son, Philadelphia, Pa., alleging the sale by said defendant, under a guaranty that the article was not adulterated or misbranded within the meaning of the Food and Drugs Act, on or about May 10, 1915, of a quantity of canned pork and beans which was an adulterated and misbranded article within the meaning of the said act, and which said article, in the identical condition in which the same was received, was shipped by the purchaser thereof, on or about May 11, 1915, from the State of Pennsylvania into the State of Delaware, in further violation of said act. The article was labeled: "American Brand for Lunch and Pic-nics." (Representation of pot of beans.) "Pork and Beans For Consumers Where Quality Counts. Serial No. 13081. Net Weight 1 lb. 3 oz. American Brand Pork and Beans Packed Expressly for Fancy Trade by the Hummelstown Canning Co. Hummelstown, Pa. Guaranteed under the Food and Drugs Act, June 30, 1906. Have you tried our Swatara Brand of Tomatoes, Corn, String Beans, Apples, Pumpkin, etc. Ask your grocer. H 3734. None but the Highest Grade Materials Used in These Goods. Good Hot or Cold. Directions—Remove Label and Wrapper Place in Boiling Water for Fifteen Minutes Then Open and Serve."

Examination of a sample of the article by the Bureau of Chemistry of this department showed the following results:

	Can No. 1.		Can No. 2.	
	No.	Per cent.	No.	Per cent.
Questionable and slightly musty beans.....	895	83.2	883	88.3
Decidedly musty beans.....	120	11.8	117	11.7

A partially decomposed vegetable product which has been treated in such manner as to conceal inferiority.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of a filthy, putrid, and decomposed vegetable substance, and for the further reason that the article was an inferior product, to wit, pork and beans, which were of low grade and were decomposed, and tomato sauce had been mixed therewith in a manner whereby its inferiority was concealed.

Misbranding was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "American Brand Pork and Beans Packed Expressly for Fancy Trade," "American Brand for Lunch and Pic-nics Pork and Beans For Consumers Where Quality Counts," and "None but the Highest Grade Materials Used in These Goods," were false and misleading in that they indicated to purchasers thereof that the article consisted of high-grade pork and beans, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it consisted of high-grade pork and beans, when, in truth and in fact, it did not, but did consist of, to wit, pork and beans which were of low grade and were decomposed.

On May 15, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4753. Adulteration of dried red peppers. U. S. \* \* \* v. 10 Baskets of Dried Red Peppers. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7258. I. S. No. 420-I. S. No. E-566.)**

On March 24, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 baskets, each containing about 20 pounds, of dried red peppers, consigned by James Chieves & Co., New York, N. Y., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 22, 1916, and transported from the State of Pennsylvania into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "\* \* \* from James Chieves and Company. Dried fruit, dates, peanuts, pecans, etc., 342 Greenwich St., New York."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, to wit, moldy peppers.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4754. Misbranding of "Dr. Swan's Liver & Kidney Remedy." U. S. v. National Remedy Co., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7259. I. S. No. 1768-k.)

On May 8, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the National Remedy Co., a corporation, New York, N. Y., alleging the sale by said company, in violation of the Food and Drugs Act, on February 6, 1915, under a guaranty that the article was not adulterated or misbranded within the meaning of said act, of a quantity of "Dr. Swan's Liver & Kidney Remedy," which was a misbranded article within the meaning of said act, as amended, and which said article, on or about March 15, 1915, was shipped by the purchaser thereof, in the identical condition in which the same had been received, and transported from the State of New York into the State of New Jersey in further violation of said act. The article was labeled: (On bottle) "Dr. Swan's Liver & Kidney Remedy. Commune bonum quod petis hic est Trade Mark Contains Alcohol 5 Per Cent. An Excellent Household Remedy For diseases arising from a disordered condition of the Liver, Stomach and Bowels, Kidney Difficulties and Blood Derangements. Relieves Constipation with no reactionary effects. A Valuable Medicine for Biliousness, Dyspepsia, Rheumatism, Female Diseases, Nervousness and Malaria. Put up in Concentrated Form. Agreeable to Take. Full Directions on Back of Case. Price 50 cents per Bottle. 3½ Ounces. Manufactured by and None Genuine without signature of Nat'l Remedy Co., New York. Changes Have Been Made In Our Labels To Meet Requirements of Food and Drugs Act. General Directions One teaspoonful after each meal and at bedtime The Size of the dose to be increased or lessened, as may be necessary. Frequently a half-teaspoonful, for a dose, is sufficient." (On carton) "Dr. Swan's Liver & Kidney Remedy. Commune bonum quod petis hic est Trade Mark. 3½ ounces. Trade Mark. Reg. U. S. Pat. Of. Contains Alcohol 5 per cent. Guaranteed by Nat'l Remedy Co. under Food and Drugs Act, June 30, 1906. No. 458. An Excellent Household Remedy, For Diseases arising from a disordered condition of the Liver, Stomach and Bowels, Kidney Difficulties and Blood Derangements. Relieves Constipation, with no reactionary effects. A Valuable Medicine for Biliousness, Dyspepsia, Rheumatism, Female diseases, Nervousness and Malaria." Put up in Concentrated Form. Agreeable to Take. See Directions on Back. Price 50c. Per Bottle. Manufactured by and None Genuine without signature of Nat'l Remedy Co. New York. Composed of Cascara Sagrada (Bark of the Sacred Tree), Berberis Aquifolium (Root of the Holy-leaved Barberry), and other excellent curatives adapted for the relief and cure of diseases of the Liver, Kidneys, Stomach, Bowels, Skin and Blood. Change in label adopted to meet the requirements of Food and Drugs Act. National Remedy Co., Manufacturers, New York. Directions, Diet, Etc. Some subjects are more susceptible to the action of medicine than others, and the proper dose can only be decided on by trial. One teaspoonful of this remedy is a fair average dose, to be taken 3 to 4 times daily, just after eating and at bedtime. If this is found too active, reduce to half-teaspoonful doses, which frequently are sufficient, or take less frequent doses. Enough should be taken to produce one or two evacuations of the bowels daily. The size of dose should be increased or decreased accordingly—dose for children should be smaller according to age. A diet of plain, wholesome food should be observed, same to be eaten with regularity, and thoroughly masticated. Cultivate a regular habit of going to stool at stated hours each day, whether any desire or not. No uneasiness need be occasioned if first few doses fail to act on the bowels as this is not necessary in order to get a curative effect from the medicine. When used as a cathartic medicine for some temporary stoppage of the bowels, somewhat larger doses may be taken at night, on retiring. It will be found a pleasant medicine to take, and exceptionally effective. It produces no griping or purging and has no bad after effect, leaving the bowels in a healthy and natural condition. National



Remedy Company, Sole Proprietors, New York City, N. Y. Dr. Swan's Liver and Kidney Remedy, Original Cascara Preparation." The booklet accompanying the article contained, among other things, the following: "Hanceville, Ala. Dear Sirs: For many years I had been afflicted with kidney disease, and three years ago, while engaged in a series of meetings at one of my churches, I was taken suddenly ill with kidney colic. The attack lasted several days, and for hours at a time it seemed as though I were dying. At last, by close medical attention, I recovered sufficiently to be carried home, a distance of about ten miles, but in a few days I was as bad as ever and my physician told me that I had stone in the bladder and nothing but a surgical operation would reach my case. Having heard your Liver and Kidney Remedy recommended very highly, I began using it, and before I had taken one bottle, I was up and able to fill my appointments with my churches. I used two bottles of the remedy and have had no return of the trouble since. Fraternally, Rev. J. E. Creel."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	5.60
Sugars (per cent).....	32.10
Glycerin (per cent).....	8.70
Sodium salicylate (per cent).....	0.22
Ash (mineral matter) (per cent).....	0.27
Strychnine: Present.	
Laxative emodin-bearing plant drug: Present.	
Juniper: Indicated.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the labels aforesaid, to wit, (On bottle) "Dr. Swan's Liver & Kidney Remedy \* \* \* An Excellent Household Remedy For diseases arising from a disordered condition of the Liver, Stomach and Bowels, Kidney Difficulties and Blood Derangements. \* \* \* A Valuable Medicine for \* \* \* Dyspepsia, \* \* \* Female Diseases, \* \* \* and Malaria." (On carton) "Dr. Swan's Liver & Kidney Remedy. \* \* \* An Excellent Household Remedy, For diseases arising from a disordered condition of the Liver, Stomach and Bowels, Kidney Difficulties and Blood Derangements. \* \* \* A Valuable Medicine for \* \* \* Dyspepsia, \* \* \* Female diseases, \* \* \* and Malaria. \* \* \* Composed of Cascara Sagrada (Bark of the Sacred Tree), Berberis Aquifolium (Root of the Holy-leaved Barberry), and other excellent curatives adapted for the relief and cure of diseases of the Liver, Kidneys, Stomach, Bowels, Skin and Blood," and included in the booklet aforesaid, to wit, "Hanceville, Ala. Dear Sirs: For many years I had been afflicted with kidney disease, and three years ago, while engaged in a series of meetings at one of my churches, I was taken suddenly ill with kidney colic. The attack lasted several days, and for hours at a time it seemed as though I were dying. At last, by close medical attention, I recovered sufficiently to be carried home, a distance of about ten miles, but in a few days I was as bad as ever and my physician told me that I had stone in the bladder and nothing but a surgical operation would reach my case. Having heard your Liver and Kidney Remedy recommended very highly, I began using it, and before I had taken one bottle, I was up and able to fill my appointments with my churches. I used two bottles of the remedy and have had no return of the trouble since. Fraternally, Rev. J. E. Creel," were false and fraudulent in that the same were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among

other things, as a liver and kidney remedy, as a remedy for diseases arising from a disordered condition of the liver, stomach, and bowels, kidney difficulties, blood derangements, dyspepsia, female diseases, and malaria; for the relief and cure of diseases of the liver, kidneys, stomach, bowels, skin, and blood; and as a cure for stone in the bladder, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On May 18, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4755. Adulteration of canned pumpkins and canned peas. U. S. \* \* \* v. 17 Cases of Canned Pumpkins and 1 Case of Canned Peas. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7260. I. S. No. 2650-I. S. No. E-567.)

On March 27, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 cases of canned pumpkins and 1 case of canned peas, consigned by the National Wholesale Grocery Co., Fall River, Mass., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 10, 1916, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The pumpkins were labeled: "Hatchet Brand Golden Pumpkin." The peas were labeled: "Hatchet Brand Advancer Peas."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid vegetable substance, to wit, moldy spoiled canned vegetables.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4756. Misbranding of "Athlophoros." U. S. \* \* \* v. 4 Dozen Packages of "Athlophoros." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7264. I. S. No. 3839-I. S. No. E-569.)

On March 27, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information, and on May 8, 1916, a motion to amend the libel of information, praying the seizure and condemnation of 4 dozen packages of "Athlophoros," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the Athlophoros Co., New Haven, Conn., and transported from the State of Connecticut into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel of information and the amendment thereto for the reason that the packages and labels thereof bore and contained statements, designs, and devices regarding the curvative and therapeutic effects of said drug, that is to say, "One dozen Athlophoros. TradeMark For Rheumatism Neuralgia internal pains and disorders of the kidneys and liver—The Athlophoros Co. New Haven Conn U-S-A. One dozen Searles Athlophoros for rheumatism and neuralgia," "Net contents four fluid ounces Athlophoros Searles Remedy For rheumatism neuralgia sciatica lumbago internal pains gout sick headache and disorders of the kidneys and liver. Prepared only by The Athlophoros Company New Haven Conn USA Price one dollar \* \* \*," "Athlophoros \* \* \* Remedy for \* \* \* Sciatica \* \* \* Gout Sick Headache \* \* \*," "Athlophoros \* \* \* Infallible Remedy \* \* \* Sciatica \* \* \*," "It reaches the liver and kidneys, cleansing them from irritating substances, and restoring the organs to regularity and health \* \* \* To effect a cure Athlophoros must be taken regularly according to directions. The doses specified below are for adults. For children, reduce dose according to age. It is best to take Athlophoros in about a wineglassful of water \* \* \* The unpleasant symptoms will soon pass off, leaving the patient free from \* \* \* neuralgia \* \* \* For sick headache—Athlophoros has proved an absolute specific. \* \* \* Only occasionally have parties experienced but partial cures; and in very few instances the result did not meet the fullest expectations. We have been at great pains to trace the cause of these exceptional cases, and have found that the patients had either been taking other medicines which neutralized or detracted from ours or that their ailments were complicated with some other disease—or due to some habit of life requiring additional treatment. We have yet to learn of an instance where the failure of Athlophoros to give entire satisfaction was not due to one of these causes," which said statements, designs, and devices were false and fraudulent in that said drug was incapable of producing the therapeutic effects claimed therefor.

On May 10, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4757. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 150 Cases of Speedway Brand, 205 Cases of Crystal Brand, and 100 Cases of Crusoe Brand Pork and Beans. Consent decrees of condemnation and forfeiture. Product ordered released on bond.** (F. & D. Nos. 7266, 7267, 7268. I. S. Nos. 411-1, 413-1, 414-1. S. No. E-573.)

On March 28, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district three libels for the seizure and condemnation of 150 cases of Speedway Brand, 205 cases of Crystal Brand, and 100 cases of Crusoe Brand pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about February 24, 1916, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The "Speedway Brand" pork and beans were labeled: (On shipping package) "2 Doz. No. 2½ Cans Speedway Brand Pork and Beans Packed by The Elyria Canning Co. Elyria, O." (On end of case: Letter "U" in a diamond-shaped figure.) The "Crystal Brand" pork and beans were labeled: (On shipping package) "2 Doz. No. 3 Cans Crystal Brand Pork and Beans With Tomato Sauce. Packed for B. S. Janney, Jr. & Co. Inc. Philadelphia, Pa." (On end of case: Letter "K" in a diamond-shaped figure.) The "Crusoe Brand" pork and beans were labeled: (On shipping package) "2 Dozen No. 2½ Cans Crusoe Brand Pork and Beans with tomato Sauce, Packed by Elyria Canning Co., Elyria, Lorain Co., Ohio." (On end of case: Letter "Z" in a diamond-shaped figure.)

Adulteration of the article was alleged in the libels for the reason that the beans consisted in part of a decomposed vegetable substance.

Misbranding of the Speedway Brand and the Crusoe Brand of the article was alleged in substance in two of the libels for the reason that the retail packages contained labels which bore statements regarding said articles and the ingredients and substances contained therein, which were false and misleading, in that said statements indicated to purchasers that the packages contained "2 lbs. or over" of the article as aforesaid, when in fact they did not.

On April 18, 1916, C. C. McDonald, trading as the Elyria Canning Co., Elyria, Ohio, claimant, having filed his answers admitting the averments in the libels, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bonds in the sums of \$110, \$225, and \$165, respectively, in conformity with section 10 of the act, conditioned in part that the product should not be used as a food product contrary to law and should be denatured and relabeled under the supervision of the Chief of the Philadelphia Laboratory of the Bureau of Chemistry, Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4758. Adulteration of scallops. U. S. \* \* \* v. 12 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7269. I. S. Nos. 1970-1, 1971-1, 1972-1, 1977-1, 1978-1. S. No. E-570.)**

On March 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 boxes of scallops, consigned by L. K. Piner, Morehead City, N. C., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped March 18, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "From L. K. Piner, Morehead City, N. C."

Adulteration of the article was alleged in the libel for the reason that the scallops had been soaked in water so that water had been substituted in part therefor.

On April 13, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4759. Adulteration of scallops. U. S. \* \* \* v. 4 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7270. I. S. No. 1973-1. S. No. E-571.)

On March 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 boxes of scallops, consigned by C. H. Wade, Morehead City, N. C., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 18, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it had been soaked in water, and water had been substituted in part therefor.

On April 13, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4760. Adulteration of scallops. U. S. \* \* \* v. 10 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7271. I. S. Nos. 1974-1, 1975-1, 1976-1. S. No. E-572.)

On March 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 boxes of scallops, consigned by Z. L. Merrill & Co., Morehead City, N. C., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 18, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the scallops had been soaked in water, and water had been substituted in part therefor.

On April 13, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4761. Adulteration of scallops. U. S. \* \* \* v. 5 Cans of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7272. I. S. Nos. 1967-1, 1968-1, 1969-1. S. No. E-564.)

On March 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 cans of scallops, consigned by Joseph Dixon & Son, Morehead City, N. C., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 11, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "\* \* \* Joseph Dixon & Sons, Morehead City."

Adulteration of the article was alleged in the libel for the reason that there had been substituted wholly or in part therefor a substance, namely, water, by soaking the scallops in water.

On April 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4762. Adulteration of olives. U. S. \* \* \* v. 2 Barrels of Black Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7274. I. S. No. 421-1. S. No. E-568.)**

On April 1, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels, each containing 250 pounds, more or less, of black olives, consigned by Moscahlades Bros., New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about March 16, 1916, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On May 2, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**4763. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 68 Barrels \* \* \* of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7275. I. S. No. 11159-I. S. No. C-463.)**

On April 3, 1916, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 68 barrels of vinegar, remaining unsold in the original unbroken packages at Amarillo, Tex., alleging that the article had been shipped, on or about February 18, 1916, by the Gist-Leo Vinegar Co., a corporation, Springfield, Mo., and transported from the State of Missouri into the State of Texas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Gist-Leo Vinegar Company, Springfield, Mo.—Pure Apple Cider Vinegar."

The allegations in the libel were to the effect that analysis of samples of the vinegar by the United States Bureau of Chemistry, made under the direction of the Secretary of Agriculture, showed that it consisted in part of distilled vinegar or of dilute acetic acid; that said distilled vinegar or dilute acetic acid had been mixed and packed with the vinegar so as to reduce and lower and injuriously affect its quality and strength, wherefore, and by reason of which facts the vinegar was adulterated in violation of the Food and Drugs Act. Adulteration was alleged for the further reason that distilled vinegar or dilute acetic acid had been substituted in part for pure apple cider vinegar.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article, and further, for the reason that it was labeled and branded so as to deceive and mislead the purchaser; that is to say, it was branded "Pure Apple Cider Vinegar," whereas, in truth and in fact, it was not pure apple cider vinegar, but contained distilled vinegar or dilute acetic acid.

On April 20, 1916, the said Gist-Leo Vinegar Co., claimant, having filed bond in conformity with section 10 of the act, which was approved by the court, and it appearing that the vinegar was not unfit for food and might be rebranded and sold in compliance with law, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant company upon payment of the costs of the proceedings. It was further directed by the court that the barrels containing the vinegar should be rebranded in such a manner as to show the true contents thereof.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4764. Misbranding of Brazilian balm. U. S. \* \* \* v. 5 Dozen Packages of \* \* \* Brazilian Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7277. I. S. No. 3845-I. S. No. E-574.)

On April 3, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information, and on May 8, 1916, a motion to amend the libel of information, praying the seizure and condemnation of 5 dozen packages of a product called "Brazilian Balm," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by B. F. Jackson & Co., Arcade, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel of information and amendment thereto for the reason that the packages and labels thereof bore and contained statements, designs, and devices regarding the curative and therapeutic effects of said drug; that is to say, "Brazilian Balm \* \* \* Remedy for grip, \* \* \* croup, bronchitis, sore throat, pleurisy, catarrh, pneumonia, asthma, quick consumption, typhoid, contagious diseases \* \* \* blood poison \* \* \*," "Brazilian Balm Nature's Remedy for \* \* \* hay fever \* \* \* medicine \* \* \* for \* \* \* hoarseness \* \* \* catarrh of head and system, fevers, \* \* \* deep seated lung troubles. Also as a prophylactic \* \* \* in many Contagious diseases \* \* \* effective and healing for \* \* \* inflamed eyes \* \* \*." (In circular) "Directions \* \* \* Catarrh of Lungs—Known as 'quick consumption' often diagnosed as 'tuberculosis' \* \* \* Treat as for bronchitis. We have known cases restored when supposed to be near death. To hasten cure take rectal injection of 1 oz. Balm in pint warm water daily, to be retained. This is absorbed into the circulation, and carried to the lungs \* \* \* It is to be tried for Asiatic plague and other deadly germ diseases. It is destined to stamp out many fatal contagions from the civilized world. \* \* \* Quinsy \* \* \* relieves blood poison from wounds over night. Prevents lockjaw. Whooping cough \* \* \* scarlet fever \* \* \* smallpox \* \* \* contagious diseases. When measles, scarlet fever, whooping cough, mumps, diphtheria, chickenpox or smallpox are around give every child 10 or 15 drops every 3 or 4 hours. Often prevents the disease. \* \* \* If scarlet fever or measles \* \* \* attack the ears fill the ears with clear Balm. Will prevent deafness. If they attack the eyes, make an eye water of Balm and water and get into eyes often and freely will prevent blindness. Disease carriers \* \* \* typhoid \* \* \* diphtheria \* \* \* Every one of these germs can be cleared out of the system in a week with Brazilian Balm. Old people's ears \* \* \* Old people and others hard of hearing have been entirely relieved by the use of Brazilian Balm," which said statements, designs, and devices were false and fraudulent in that said drug was incapable of producing the therapeutic effects claimed therefor.

On May 10, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4765. Adulteration of scallops. U. S. \* \* \* v. 1 Box of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7293. I. S. No. 1984-I. S. No. E-576.

On March 29, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 box of scallops, consigned by V. F. Salter, Newport, N. C., remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped, on or about March 25, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the scallops had been soaked in water and water had been substituted in part for the article.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4766. Adulteration of scallops. U. S. \* \* \* v. 1 Tub of Scallops. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7294. I. S. No. 1985-1. S. No. E-577.)

On March 29, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 tub of scallops consigned by P. B. Mason, Painter, Va., remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped, on or about March 25, 1916, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it had been soaked in water, and water had been substituted in part for the article.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4767. Adulteration of scallops. U. S. \* \* \* v. 1 Barrel of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7295. I. S. Nos. 1986-1, 1987-1, 1988-1, 1989-1. S. No. E-578.)

On March 29, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one barrel of scallops, consigned by Charles Boulter, Melfa, Va., remaining unsold in the original unbroken package at New York, N. Y., alleging that the article had been shipped, on or about March 27, 1916, and transported from the State of Virginia into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it had been soaked in water, and water had been substituted in part for the article.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4768. Adulteration of scallops. U. S. \* \* \* v. 2 Boxes of Scallops. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7296. I. S. Nos. 1990-1, 1991-1, 1992-1, 1993-1. S. No. E-579.)

On March 29, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 boxes of scallops, consigned by the Morehead City Seafood Co. (Inc.), Morehead City, N. C., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about March 27, 1916, and transported from the State of North Carolina into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Morehead City Seafood Co., wholesale water products, Morehead City, N. C."

Adulteration of the article was alleged in the libel for the reason that it had been soaked in water, and water had been substituted in part for the article.

On April 18, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4769. Adulteration of tomato pulp. U. S. \* \* \* v. 41 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7299. I. S. No. 435-l. S. No. E-581.)**

On April 11, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 cases of tomato pulp, consigned by the Hartlove Packing Co., Baltimore, Md., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about January 26, 1916, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it was composed, in whole or in part, of a decomposed vegetable product.

On May 2, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4770. Adulteration of tomato pulp. U. S. \* \* \* v. 25 Cases \* \* \* 40 Cases \* \* \* and 45 Cases of Tomato Pulp. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 7307, 7308, 7309, 7310. I. S. No. 3349-I, A-Informal No. 4626-I. S. Nos. E-582, E-583.)

On April 12, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels of information for the seizure and condemnation of 25 cases, 40 cases, and 45 cases of tomato pulp, remaining unsold in the original unbroken packages at Lawrence, Mass., Boston, Mass., and Fall River, Mass., respectively, alleging that the article had been shipped by Wm. P. Andrews, Crapo, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On May 9, 1916, no claimants having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4771. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 80 Barrels \* \* \* of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7302. I. S. No. 4161-1. S. No. E-584.)**

On April 12, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 80 barrels, more or less, purporting to contain cider vinegar, consigned by the Harbauer Co., Toledo, Ohio, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Ohio into the State of Pennsylvania, the shipment having been received on or about February 8, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The barrels were labeled, in part: (On one head) "Cider Vinegar Made by The Harbauer Co. Toledo, Ohio, 48 Gals. Feb. 3, 1916." (On other head) "Jenkins Fermented Apple Cider Vinegar Made for Thomas C. Jenkins, Pittsburg, Pa."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of distilled vinegar and added mineral matter which had been mixed and packed with, and substituted for, apple vinegar.

Misbranding was alleged for the reason that the article was offered for sale under the distinctive name of cider vinegar, when, in fact, it was not cider vinegar, but consisted, in whole or in part, of distilled vinegar and added mineral matter, which had been mixed and packed with, and substituted for, apple vinegar.

On April 20, 1916, the Harbauer Co., Toledo, Ohio, claimant, having filed its answer and agreed that the facts set out in the libel were correct and true, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4772. Adulteration of condensed milk. U. S. \* \* \* v. 106 Cases \* \* \* of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7323. I. S. No. 418-1, 422-1. S. No. E-587.)

On April 17, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 106 cases, more or less, of condensed milk, consigned by the Holland Food Corporation, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about March 14, 1916, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: (On shipping package) "Thick Milk, For Manufacturing Purposes Only."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On May 5, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4773. Misbranding of "Stuart's Calcium Wafers." U. S. \* \* \* v. 24 Dozen Packages of "Stuart's Calcium Wafers." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7325. I. S. No. 3853-1. S. No. E-585.)**

On April 6, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 24 dozen packages of a product called "Stuart's Calcium Wafers," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by F. A. Stuart Co. (Inc.), Marshall, Mich., and transported from the State of Michigan into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel of information because the drug, packages and labels thereof bore and contained statements, designs, and devices regarding said drug and the ingredients and substances contained therein, that is to say, certain words appearing thereon of the tenor following: "As the preparation is perfectly harmless," "Children may take it with freedom and their delicate organisms thrive with its use," "They are entirely harmless"; "Containing no poisonous ingredients," "A perfectly safe remedy," "It can be safely used by any person, man, woman or child with the assurance that no possible injury can result from its use," which said statements, designs, and devices were false and misleading in that said drug was not a preparation that was perfectly harmless; children could not take said drug with freedom (that is to say, free from danger to their health); their (said children's) delicate organisms would not thrive on the use of said drug; said drug was not entirely harmless and did contain a poisonous ingredient, to wit, strychnine; and said drug was not a perfectly safe remedy and could not be safely used by any man, woman, or child with the assurance that no possible injury to any such person could result from such use of said drug. Misbranding was alleged for the further reason that the packages and labels of the article bore certain statements, designs, and devices regarding the curative and therapeutic effects of said drug, that is to say, "For Eruptions Scrofula \* \* \* Constipation Humor Liver troubles \* \* \* And all disorders and symptoms arising from impure blood," "For \* \* \* blood disorders skin affections any derangement of the blood bowels kidney or liver," "Blood troubles and skin disease \* \* \* calcium sulphide \* \* \* The most powerful blood purifier known. Skin diseases are relieved when the blood is charged with this great eradicator The blood at once feels its influence and eruptions cease \* \* \* No matter what degree of eruptive skin trouble you may have Stuart's Wafer Compound will purify and enrich the blood \* \* \* The liver is aided the stomach reinforced and skin diseases are assailed from their source \* \* \* For chronic or temporary blood disorders and skin diseases these wafers are without an equal \* \* \* Should be used to enrich and purify the blood \* \* \* Restoring the normal action of the bowels liver and excretory organs \* \* \*," "For skin diseases eruptions boils and pimples the wafers act beneficially and satisfactorily in many cases causing the absorption of humors boils and carbuncles in a few days time \* \* \* Will infuse renewed energy and strength into the exhausted nerves The overworked brain or muscular system \* \* \* Containing in concentrated form all the elements to repair nerve tissue and depleted blood," "Will relieve and prevent constipation and thereby keep the liver and bowels in normal healthy condition," which said statements, designs, and devices were false and fraudulent in that said drug was incapable of producing the curative and therapeutic effects claimed therefor.

On May 19, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4774. Misbranding of "Stuart's Calcium Wafers." U. S. \* \* \* v. 24 Dozen Packages of "Stuart's Calcium Wafers." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7326. I. S. No. 3854-I. S. No. E-586.)

On April 6, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 24 dozen packages of a product called "Stuart's Calcium Wafers," remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the H. W. St. John Co., New York, N. Y., and transported from the State of New York into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel of information because the drug, packages and labels thereof bore and contained statements, designs, and devices regarding said drug and the ingredients and substances contained therein—that is to say, certain words appearing thereon, of the tenor following: "As the preparation is perfectly harmless" "children may take it with freedom and their delicate organisms thrive with its use," "they are entirely harmless," "containing no poisonous ingredients," "a perfectly safe remedy," "it can be safely used by any person, man, woman or child with the assurance that no possible injury can result from its use," which said statements, designs, and devices were false and misleading in that said drug was not a preparation that was perfectly harmless; children could not take said drug with freedom (that is to say, free from danger to their health); their (said children's) delicate organisms would not thrive on the use of said drug; said drug was not entirely harmless and did contain a poisonous ingredient, to wit, strychnine; and said drug was not a perfectly safe remedy and could not be safely used by any man, woman, or child with the assurance that no possible injury to any such person could result from such use of said drug. Misbranding was alleged for the further reason that the packages and labels of the article bore certain statements, designs, and devices regarding the curative and therapeutic effects of said drug—that is to say: "For Eruptions Scrofula \* \* \* Constipation Humor Liver troubles \* \* \* And all disorders and symptoms arising from impure blood," "For \* \* \* blood disorders skin affections any derangement of the blood bowels kidney or liver," "Blood troubles and skin disease \* \* \* calcium sulphide \* \* \* The most powerful blood purifier known Skin diseases are relieved when the blood is charged with this great eradicator The blood at once feels its influence and eruptions cease \* \* \* No matter what degree of eruptive skin trouble you may have Stuart's Wafer Compound will purify and enrich the blood \* \* \* The liver is aided the stomach reinforced and skin diseases are assailed from their source \* \* \* For chronic or temporary blood disorders and skin diseases these wafers are without an equal \* \* \* Should be used to enrich and purify the blood \* \* \* Restoring the normal action of the bowels liver and excretory organs \* \* \*," "For skin diseases eruptions boils, and pimples the wafers act beneficially and satisfactorily in many cases causing the absorption of humors boils and carbuncles in a few days time \* \* \* Will infuse renewed energy and strength into the exhausted nerves the overworked brain or muscular system \* \* \* Containing in concentrated form all the elements to repair nerve tissue and depleted blood," "Will relieve and prevent constipation and thereby keep the liver and bowels in normal healthy condition," which said statements, designs, and devices were false and fraudulent, in that said drug was incapable of producing the curative and therapeutic effects claimed therefor.

On May 19, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4775. Misbranding of "Stuart's Calcium Wafers." U. S. \* \* \* v. 100 Gross of \* \* \* "Stuart's Calcium Wafers." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7333. I. S. No. 2651-I. S. No. E-588.)

On April 19, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 gross of a drug product known as "Stuart's Calcium Wafers," remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Stuart & Co., Marshall, Mich., and transported from the State of Michigan into the State of New York, the shipment having been received on or about April 4, 1916, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Stuart's Calcium Wafer Compound. For constipation, blood disorders, skin affections, any derangement of blood, bowels, kidneys, or liver. Directions \* \* \* as the preparation is perfectly harmless \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the packages, circulars, and retail cartons with which and in which the article was packed contained the following statements as to the therapeutic effects of the article and of the ingredients and substances contained therein, to wit, (On box wrapper) "For eruptions, scrofula \* \* \* constipation, humor, liver troubles \* \* \* and all disorders and symptoms arising from impure blood." (On the box label) "For \* \* \* blood disorders, skin affections, any derangement of the blood, bowels, kidney or liver." (On circular) "Blood troubles and skin diseases, \* \* \* calcium sulphide \* \* \* the most powerful blood purifier known. Skin diseases are relieved when the blood is charged with this great eradicator. The blood at once feels its influence and eruptions cease. \* \* \* No matter what degree of eruptive skin trouble you may have, Stuart's Wafer Compound will purify and enrich the blood. \* \* \* The liver is aided, the stomach reinforced and skin diseases are assailed from their source. \* \* \* For chronic or temporary blood disorders and skin diseases these wafers are without an equal. \* \* \* Should be used to enrich and purify the blood. \* \* \* restoring the normal action of the bowels, liver and excretory organs. \* \* \* For skin diseases, eruptions, boils and pimples. The wafers act beneficially and satisfactorily in many cases causing the absorption of humors, boils and carbuncles in a few days time. \* \* \* Will infuse renewed energy and strength into the exhausted nerves, the overworked brain or muscular system \* \* \* containing in concentrated form all the elements to repair nerve tissue and depleted blood. Will relieve and prevent constipation and thereby keep the liver and bowels in normal healthy condition," whereas, in truth and in fact, the said article contained no ingredients or combination of ingredients capable of producing the therapeutic effects claimed in the statements upon the packages, cartons, and circulars aforesaid. Misbranding was alleged for the further reason that the package and label of the drug bore the following statements regarding it or the ingredients or substances contained therein, which were false and misleading in the following particulars: (On box label) "If bowels do not move freely, double the dose as the preparation is perfectly harmless." (In circular) "Children may take it with freedom and their delicate organisms thrive with its use. \* \* \* If obstinate constipation of the bowels is present the dose may be increased until satisfactory movement is secured, as they are entirely harmless \* \* \* Stuart's Calcium Wafer Compound should be used in connection with Stuart's Dyspepsia Tablets, in all cases where the bowels are at all constipated as they remove this condition speedily, safely and without pain or griping. \* \* \* Containing no poisonous ingredients \* \* \* People who need a laxative, a good tonic and not a stimulant, or who suffer from skin eruptions, blood disorders or nervous weakness of any kind will find in these wafers a perfectly safe remedy. \* \* \* Costs more than pills for constipation but is worth more than the difference in price because in the first place it is far safer. \* \* \* Stuart's Calcium Wafer Compound contains no

alcoholic stimulant, opiate or mercury, iodide-potassium or similar poisons. It can be safely used by any person, man, woman or child with the assurance that no possible injury can result from its use," which said statements were false and misleading in view of the presence of strychnine, a poisonous substance.

On May 15, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4776. Misbranding of olive oil. U. S. \* \* \* v. 7 Cases of Olive Oil (so called). Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7367. I. S. No. 4207-I. S. No. E-596.)

On April 28, 1916, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 cases, each containing 12 cans, of so-called olive oil, remaining unsold in the original unbroken packages at Stamford, Conn., alleging that the article had been shipped, on or about January 24, 1916, by Anna Heller, trading under the name of Venice Importing Co., New York, N. Y., and transported from the State of New York into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act. The article was labeled: "Net Contents Full Gallon" (Italian coat of arms) "Olio Sopraffino Qualità Superiore Olio Finissimo Cotton Seed and Olive Oil A Compound Tripolitania Brand."

Misbranding of the article was alleged in the libel for the reason that the labels on the cans bore a certain statement, namely, "Net Contents Full Gallon," whereas, in truth and in fact, the net contents of each can was 5 per cent short of a full gallon. Misbranding was alleged for the further reason that said labels bore certain statements, designs, and devices regarding the article which were false and misleading, that is to say, said labels bore the following words, "Olio Sopraffino Qualità Superiore Olio Finissimo Cotton Seed and Olive Oil A Compound Tripolitania Brand," and in addition to said words there appeared the Italian coat of arms, all of which inscriptions and general construction were intended to be of such a character as to induce the purchaser to believe that the article was of foreign origin, when, in truth and in fact, it was not so. Misbranding was alleged for the further reason that the labels as aforesaid bore in large type the words "Olive Oil," and in small and inconspicuous type the words "Cotton Seed and" [Olive Oil], which words were false and misleading, and by their general construction were intended to be of such a character as to induce the purchaser to believe that the product was olive oil, whereas, in truth and in fact, it consisted largely of cottonseed oil.

On June 17, 1916, the said Anna Heller, trading under the name and style of Venice Importing Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$150, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4777. Adulteration and misbranding of tomato pulp U. S. \* \* \* v. 103 Cases of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7405. I. S. No. 2453-I. S. No. E-599.)**

On May 4, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 103 cases of tomato pulp, remaining unsold in the original unbroken packages at Lawrence, Mass., alleging that the article had been shipped by William P. Andrews, Crapo, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration and misbranding in violation of the Food and Drugs Act. \*

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding was alleged for the reason that the article was in package form, and the quantity of the contents thereof was not plainly and conspicuously marked upon the packages thereof.

On May 24, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4778. Adulteration of cloves. U. S. \* \* \* v. 760 Bales of Extracted Cloves. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7408. I. S. No. 20273-1, 20274-1. S. No. W-91.)**

On May 4, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 760 bales of extracted cloves, aggregating 56 tons, consigned by the Vero A. Chemical Co., New York, N. Y., and W. J. Sparks, New York, N. Y., remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted wholly of exhausted cloves, possessing no flavor or odor, and, further, in that clove oil, a valuable constituent, had been wholly abstracted therefrom.

On June 5, 1916, the claimant having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and execution of bond in the sum of \$2,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4779. Adulteration of butter. U. S. \* \* \* v. 1 Barrel \* \* \* and 1 Tub of Butter. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7415. I. S. Nos. 508-1, 509-1. S. No. E-604.)

On May 8, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel and 1 tub of butter, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Merchants' Cold Storage & Warehouse Co., Providence, R. I., and transported from the State of Rhode Island into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* From Merchants Cold Storage & Warehouse Co., Providence, R. I. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a filthy, decomposed, and putrid animal substance, to wit, moldy, rancid, filthy, and decomposed butter.

On June 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4780. Adulteration of pork and beans. U. S. \* \* \* v. 101 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7430. I. S. No. 4515-L. S. No. E-009.)

On May 12, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 101 cases of pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Ohio into the State of Pennsylvania, the shipment arriving on or about March 13, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled, in part: "Princeton Brand Pork and Beans with Tomato Sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food, 15.7 per cent of the article being partly decomposed beans.

On June 2, 1916, the said Elyria Canning Co., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4781. Adulteration of tomato paste. U. S. \* \* \* v. 4 Barrels of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7434. I. S. No. 2455-L. S. No. E-610.)

On May 15, 1916, the United States attorney for the District of Maine, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 barrels of tomato paste, consigned by Parodi, Erminio & Co., San Francisco, Cal., remaining unsold in the original unbroken packages at Portland, Me., alleging that the article had been shipped, on or about March 20, 1916, and transported from the State of California into the State of Maine, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substances.

On June 2, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4782. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \* v. 145 Dozen Cartons of "Stuart's Calcium Wafer Compound." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7435. I. S. No. 20667-A. S. No. W-92.)

On or about May 22, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 145 dozen cartons, more or less, of "Stuart's Calcium Wafer Compound," consigned by the F. A. Stuart Co., Marshall, Mich., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped, on or about October 27, 1915, and transported from the State of Michigan into the State of Colorado, and charging misbranding in violation of the Food and Drugs Act, as amended. The cartons were labeled, in part: "Stuart's Calcium Wafer Compound \* \* \* For Eruptions, Scrofula, \* \* \* Constipation, \* \* \* Liver Troubles, \* \* \* and disorders, and symptoms, arising from impure blood." Each of the wooden boxes contained in the cartons was labeled, in part: "Stuart's Calcium Wafer Compound. For Constipation, Blood Disorders, Skin Affections, any Derangement of Blood, Bowels, Kidneys, or Liver. Directions \* \* \* If bowels do not move freely double the dose, as the preparation is perfectly harmless \* \* \*." One of the circulars accompanying the article contained, among other things, the following: "Blood Troubles And Skin Diseases." "Calcium Sulphide \* \* \* the most powerful blood purifier known." "Children may take it with freedom and their delicate organisms thrive with its use." "Skin diseases are relieved when the blood is charged with this great eradicator." "The blood at once feels its influence and eruptions cease \* \* \*." "No matter what degree of eruptive skin trouble you may have, Stuart's Calcium Wafer Compound will purify and enrich the blood. The liver is aided, the stomach re-inforced, and skin diseases are assailed from their source." "For chronic or temporary blood disorders and skin diseases these wafers are without an equal." "If obstinate constipation of the bowels is present, the dose may be increased until satisfactory movement is secured, as they are entirely harmless. \* \* \*." The other circular accompanying the article contained, among other things, the following: "Stuart's Calcium Wafer Compound should be used in connection with Stuart's Dyspepsia Tablets in all cases where the bowels are at all constipated, as they remove this condition speedily, safely and without pain or griping." "Should be used to enrich and purify the blood; \* \* \* containing no poisonous ingredients \* \* \*." " \* \* \* will relieve and prevent constipation and thereby keep the liver and bowels in normal, healthy condition." "People who need a laxative, a good tonic [not a stimulant] or who suffer from skin eruptions, blood disorders or nervous weakness of any kind, will find in these Wafers a perfectly safe remedy." "Costs more than pills for constipation, but it is worth more than the difference in price, because in the first place it is far safer, \* \* \*." "Stuart's Calcium Wafer Compound contains no alcoholic stimulant, opiate or mercury, iodide potassium, or similar poisons. It can be safely used by any person, man, woman, or child, with the assurance that no possible injury can result from its use." " \* \* \* will infuse renewed energy and strength into the exhausted nerves, the over-worked brain or muscular system, \* \* \* containing in concentrated form all the elements to repair nerve tissue and depleted blood." " \* \* \* restoring the normal action of the bowels, liver and excretory organs, \* \* \*." "For Skin Diseases, Eruptions, Boils and Pimples. The Wafers act beneficially and satisfactorily in many cases, causing the absorption of humors, boils and carbuncles in a few days time."

Misbranding of the article was alleged in the libel for the reason that it contained poison, namely, strychnine [whereas it was represented as perfectly harmless], and for the further reason that it did not contain ingredients or combinations of ingredients capable of producing the therapeutic effects, or any thereof, claimed for it on said brands and labels and in said circulars as above set forth.

On June 30, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4783. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 3 Barrels \* \* \* of Cocoa.  
Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7437. I. S.  
No. 2099-I. S. No. E-605.)

On May 15, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 barrels, each containing 200 pounds, of cocoa, remaining unsold in the original unbroken packages at Elmira, N. Y., alleging that the article had been shipped on March 1, 1916, by the Meyer & Carmody Import Co., New York, N. Y., and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that added cocoa shells had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength, and for the further reason that added cocoa shells had been substituted in part for cocoa.

Misbranding was alleged for the reason that the article was labeled "Carnival Brand Cocoa," whereas, in truth and in fact, it was not pure cocoa and was labeled and branded so as to deceive and mislead all purchasers.

On May 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4784. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 2 Cases of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7440. I. S. No. 2565-1. S. No. E-611.)

On May 16, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 cases of olive oil, consigned by A. Carnese, New York, N. Y., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped, on or about February 11, 1916, and transported from the State of New York into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: (On can) "Speciality Lucca Olive Oil Extra 1 Callisto Francesconi Lucca Italy Trade Mark Registered in U. S. 1 Quart Olive Oil Le latte non portanti la presente firma si dichiarano falsificate" (facsimile signature) "Callisto Francesconi Cans not bearing the present signature are declared adulterated 1 Quart Olive Oil."

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower its quality and strength, and for the further reason that cottonseed oil had been substituted in part for olive oil.

Misbranding was alleged for the reason that the retail packages contained labels which bore the statements, designs, and devices, to wit: "Speciality Lucca Olive Oil Extra 1 Callisto Francesconi Lucca Italy Trade Mark Registered in U. S. 1 Quart Olive Oil Le latte non portanti la presente firma si dichiarano falsificate," regarding the article and the ingredients and substances contained therein, which were false and misleading in that they indicated to the purchaser that the packages contained olive oil which was manufactured in Italy, when in fact they did not.

On June 30, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4785. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 600 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7443. I. S. No. 4514-L. S. No. E-612.)

On May 17, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 cases of pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the articles had been shipped, on or about February 19, 1916, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "Liberty Pork and Beans with Tomato Sauce Liberty Brand Good for 1 Coupon Contents 2 lbs."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food, 20 [20.2] per cent of the article being partly decomposed beans.

Misbranding was alleged for the reason that the quantity of contents in each can of the article was stated in terms of weight, and examination showed an average shortage of 6.5 per cent.

On June 2, 1916, the said Elyria Canning Co., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4786. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 350 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7447. I. S. No. 4516-L. S. No. E-618.)

On May 18, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 cases of pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Ohio into the State of Pennsylvania, the shipment having been received on or about March 13, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: (On cases) "2 Dozen No. 2½ Cans Natoma Brand Pork and Beans with Tomato Sauce." (On retail packages) "Natoma Brand Pork and Beans Tomato Sauce. Contents 2 lbs or over."

Adulteration of the articles was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food; 11.7 per cent of the same being partly decomposed beans.

Misbranding was alleged for the reason that the article was food in package form and failed to bear a correct statement of the quantity of the contents, examination showing an average shortage in weight of 6.6 per cent from the declared contents.

On June 2, 1916, the said Elyria Canning Co., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4787. Adulteration of canned apples. U. S. \* \* \* v. 41 Cases of Canned Apples \* \* \*.  
Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7452. I. S.  
No. 4829-L. S. No. E-619.)

On May 19, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 41 cases of canned apples, consigned by the Consolidated Grocery Co., Tampa, Fla., remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable matter in that the cans containing the goods were in large part rusty, rust-eaten, and corroded, and that a large percentage of same consisted of swells and leakers, and that the contents thereof were in a state of active fermentation.

On June 28, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4788. Adulteration of pork and beans. U. S. \* \* \* v. 50 Cases \* \* \* of Pork and Beans.**  
**Consent decree of condemnation and forfeiture. Product ordered released on bond.**  
 (F. & D. No. 7459. I. S. No. 455-I. S. No. E-625.)

On May 23, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Erie, Pa., alleging that the article had been shipped and transported from the State of Ohio into the State of Pennsylvania, the shipment having been received on or about April 26, 1916, and charging adulteration in violation of the Food and Drugs Act. The retail packages were labeled, in part: "Crusoe Brand Pork and Beans with Tomato Sauce. Contents 2 lbs. or over." Some of the retail packages were labeled, in part: "1 lb. 14 oz."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food, 11 to 19 [19.8] per cent of the same being partly decomposed beans.

On June 2, 1916, the said Elyria Canning Co., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$200, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4789. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 150 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7461. I. S. Nos. 4517-1, 4518-1. S. No. E-626.)

On May 23, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 150 cases of pork and beans, consigned by Hart Bros., Saginaw, Mich., remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped, on or about February 11, 1916, and transported from the State of Michigan into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "Shepherd Brand Pork and Beans with Tomato Sauce Contents 1 pound 12 ounces."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food, 18.6 per cent of the same being partly decomposed beans.

Misbranding was alleged for the reason that the article consisted of food in package form and failed to bear a correct statement of the quantity of the contents, examination showing an average shortage in weight of 2.8 per cent from the declared contents.

On June 10, 1916, and July 18, 1916, the said Hart Bros., claimants, having entered their appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be surrendered to said claimants upon payment of all the costs of the proceedings and the execution of bond in the aggregate sum of \$750, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4790. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 79 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7466. I. S. No. 458-L. S. No. E-628.)**

On May 26, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 79 cases of pork and beans, consigned by the Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Tyrone, Pa., alleging that the article had been shipped and transported from the State of Ohio into the State of Pennsylvania, the shipment having been received on or about March 16, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "Natoma Brand Pork and Beans with Tomato Sauce Contents 2 lbs or over."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food, 15 [15.1] per cent of the article being partly decomposed beans.

Misbranding was alleged for the reason that the article was food in package form and failed to bear a correct statement of the quantity of the contents, examination showing an average shortage in weight of 7.8 per cent from the declared contents.

On June 2, 1916, the said Elyria Canning Co., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4791. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 350 Cases of Pork and Beans. Product ordered released on bond. (F. & D. No. 7467. I. S. No. 604-I. S. No. E-613.)**

On May 27, 1916, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 350 cases, each containing two dozen cans, of pork and beans, remaining unsold in the original unbroken packages at Wilkes-Barre, Pa., alleging that the article had been shipped by the Dyer Packing Co., Vincennes, Ind., and transported from the State of Indiana into the State of Pennsylvania, the shipment having been received on or about January 28, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled, in part: "Moneyworth Brand Pork and Beans with Tomato Sauce. \* \* \* Weight of contents 1 lb. 12 oz. Packed by Dyer Packing Co., Vincennes, Ind."

Adulteration of the article was alleged in the libel for the reason that soya beans had been substituted in part for the pea or navy beans in the article, 50 per cent of the product being soya beans.

Misbranding was alleged for the reason that the label of the article was false and misleading and deceived and misled the purchaser, in that soya beans had been substituted in part for pea or navy beans, 50 per cent of the article being soya beans.

On June 7, 1916, the said Dyer Packing Co., claimant, having filed bond in the sum of \$1,000 in conformity with section 10 of the act, which bond was approved by the court, it was ordered that the product should be released to said claimant for the purpose of having same properly relabeled.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4792. Adulteration of apple waste. U. S. \* \* \* v. 25 Bags of Apple Waste. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7477. I. S. No. 11059-I. S. No. C-536.)

On May 29, 1916, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 bags of apple waste, remaining unsold in the original unbroken packages at New Orleans, La., alleging that the article had been shipped on May 9, 1916, by Arthur J. Thompson, Chicago, Ill., and transported from the State of Illinois into the State of Louisiana, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, decomposed, and putrid animal and vegetable substances and was unfit for food.

On June 28, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4793. Misbranding of cottonseed meal. U. S. \* \* \* v. 580 Sacks \* \* \* of Cottonseed Meal. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7492. I. S. Nos. 11382-1, 19908-1. S. No. C-538.)

On June 2, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 580 sacks, each containing approximately 100 pounds, of cottonseed meal, consigned by the Buckeye Cotton Oil Co., Louisville, Ky., remaining unsold in the original unbroken packages at St. Bernard, Ohio, alleging that the article had been shipped and transported from the State of Kentucky into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act. The article was labeled:

(On tag)

"100 LBS. GROSS—99 LBS. NET  
BUCKEYE  
Prime Cottonseed Meal  
MANUFACTURED BY  
The Buckeye Cotton Oil Co.  
GENERAL OFFICES, CINCINNATI, O.

GUARANTEED ANALYSIS.....	Protein.....	38.62	Per Cent Minimum
	Fats.....	6	" " "
	Ammonia.....	7.50	" " "
	Nitrogen.....	6.18	" " "
	Crude Fibre.....	12	" " Maximum

(On reverse side of tag)

#### MILLS LOCATED

—AT—

Atlanta, Ga.  
Augusta, Ga.  
Macon, Ga.  
Birmingham, Ala.  
Charlotte, N. C.

Selma, Ala.  
Jackson, Miss.  
Greenwood, Miss.  
Little Rock, Ark.  
Memphis, Tenn.

Hurtsboro, Ala."

Misbranding of the article was alleged in the libel for the reason that the tags on the bags bore a statement, declaring the ingredients and substances contained therein, which was false and misleading, in that the amount of protein declared was 38.62 per cent protein minimum, when, in truth and in fact, each of the sacks and packages contained less than 38.62 per cent protein minimum.

On June 6, 1916, the said Buckeye Cotton Oil Co., claimant, having admitted the facts set out in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of all the costs of the proceedings and the execution of bond in the sum of \$1,800, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



4794. Adulteration of condensed milk. U. S. \* \* \* v. 804 Cases \* \* \* and 75 Cases of Condensed Milk. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 7494, 7495. I. S. No. 519-L. S. Nos. E-634, E-634-A.)

On June 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 804 cases and 75 cases, respectively, of condensed milk, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about May 1, 1916, by the American Milk Co., Union, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "To Be Used For Manufacturing Purposes Only Union Condensed Milk Co."

Adulteration of the article was alleged in the libels for the reason that it consisted particularly [in part] of a decomposed animal product, to wit, [decomposed] condensed milk.

On June 27, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4795. Adulteration of canned pork and beans. U. S. \* \* \* v. 80 Cases \* \* \* of Saginaw Brand Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7498. I. S. No. 464-l. S. No. E-637.)

On June 5, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 80 cases, more or less, of Saginaw Brand Pork and Beans, consigned by Hart Bros., Saginaw, Mich., remaining unsold in the original unbroken packages at Reading, Pa., alleging that the article had been shipped, on or about April 8, 1916, and transported from the State of Michigan into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Saginaw Brand Beans with Pork and Tomato Sauce, Contents 1 lb. 12 oz. Saginaw Brand. Packed by Hart Brothers Saginaw, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On June 26, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4796. Adulteration of tuna fish. U. S. \* \* \* v. 40 Cases of Canned Tuna Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7507. I. S. Nos. 510-1, 515-1. S. No. E-615.)**

On June 5, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 40 cases of canned tuna fish, consigned by the National Wholesale Grocery Co. (Inc.), Fall River, Mass., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about April 29, 1916, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act. Some of the cans were labeled: "Van Camp's Net Contents 7 Ounces White Meat of Tuna. Packed by Van Camp Sea Food Company, San Pedro, Cal. Ready to serve;" some were labeled: "E. & W. Brand California Tuna. Net Weight of Contents 13½ ounces. Packed in High Grade Cotton-seed Oil. Packed and guaranteed by E. & W. Tuna Canning Company, San Pedro, Cal.," and some were labeled: "N. W. Brand, California Tuna. Net Weight 13½ ounces Packed in Cotton-seed oil. National Wholesale Grocery Company, Inc., Fall River, Mass."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a decomposed animal substance, to wit, [decomposed] fish.

On June 28, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4797. Adulteration of canned tuna fish. U. S. \* \* \* v. 30 Cases of Canned Tuna Fish. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7508. I. S. Nos. 512-L, 516-L. S. No. E-616.)

On June 5, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases of canned tuna fish, consigned by the National Wholesale Grocery Co. (Inc.), Fall River, Mass., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped, on or about April 15, 1916, and transported from the State of Massachusetts into the State of New York, and charging adulteration in violation of the Food and Drugs Act. Some of the cans were labeled: "Van Camp's Net Contents 7 Ounces White Meat of Tuna. Packed by Van Camp Sea Food Company, San Pedro, Cal. Ready to serve;" some were labeled: "E. & W. Brand California Tuna. Net weight of contents 13½ Ounces. Packed in High Grade Cotton-seed Oil. Packed and guaranteed by E. & W. Tuna Canning Company, San Pedro, Cal.," and some were labeled: "N. W. Brand. California Tuna, Net Weight 13½ Ounces Packed in Cotton-seed Oil. National Wholesale Grocery Company, Inc., Fall River, Mass."

Adulteration of the article was alleged in the libel for the reason that it consisted in particular [part] of a decomposed animal substance, to wit [decomposed] fish.

On June 28, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

4798. Adulteration and misbranding of alleged mustard seed. U. S. \* \* \* v. 238 Bags \* \* \* of Alleged Mustard Seed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7511. I. S. Nos. 4956-1, 4957-1. S. No. E-638.)

On June 6, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 238 bags, each containing 160 pounds, of alleged mustard seed, remaining unsold in the original unbroken packages at Buffalo, N. Y., alleging that the article had been shipped, on or about April 15, 1916, by the North American Mercantile Co., San Francisco, Cal., and transported from the State of California into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "G F New York When Packed Net 160 From Japan."

Adulteration of the article was alleged in the libel for the reason that rape seed had been substituted wholly for mustard seed.

Misbranding was alleged for the reason that the product was an imitation of, and was offered for sale under the distinctive name of, another article, to-wit, mustard seed.

On June 27, 1916, Ludwig S. Nachman, Chicago, Ill., claimant, having filed his claim and answer, submitting to the passage of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act, conditioned, among other things, that the product should be cleaned if the United States food and drug inspectors should deem it necessary, and labeled to show its true character.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**4799. Adulteration and misbranding of oats. U. S. v. 20 Sacks of Oats. Tried to the court and a jury. Verdict in favor of the United States. Default decree ordering the sale of the property. (F. & D. No. 305-c.)**

On March 14, 1916, the United States attorney for the Eastern District of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 sacks, each containing 160 pounds, of oats, remaining unsold in the original unbroken packages at Leesville, S. C., alleging that the article had been shipped on February 5, 1916, by the Tennessee Grain Co., Nashville, Tenn., and transported from the State of Tennessee into the State of South Carolina, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that the packages did not contain oats alone, but other substances, to wit, wheat, weed seed, and chaff had been mixed and packed with the oats so as to reduce and lower and injuriously affect their quality and strength, and had been substituted in part for said oats.

Misbranding was alleged for the reason that the article was an imitation of, and was offered for sale under the distinctive name of, mixed oats, whereas it contained a mixture of oats, wheat, weed seed, and chaff.

On June 9, 1916, the case having come on for hearing, and having been submitted to a jury without contest, a finding was made by the jury in favor of the United States, and thereupon a decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**4800. Adulteration and misbranding of condensed milk. U. S. \* \* \* v. 50 Cases of Condensed Milk. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 307-C.)**

During the month of September, 1915, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of condensed milk, remaining unsold in the original unbroken packages at Bonners Ferry, Idaho, alleging that the article had been shipped by Morris & Co., Spokane, Wash., and transported from the State of Washington into the State of Idaho, the shipment having been received on or about June 30, 1915, and charging adulteration and misbranding in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated, short in weight, and misbranded, in that it did not contain the amount of butter fat and milk solids which it professed and [was] guaranteed to contain, as shown by the label upon the cans containing it, and each of the cans did not contain the net weight of milk [as] shown upon the label affixed to each can; that each of the cans of milk bore upon the label attached thereto, statements regarding the milk which were false and misleading as to the proportions of butter fat and milk solids contained in said milk and as to the net weight of the milk contained in the cans; that each of the cans was labeled and branded in such a manner as to deceive and mislead the purchaser thereof; that all of the milk was in package form, to wit, was contained in cans as aforesaid, to each of which cans was attached a label as aforesaid bearing the names "Meadowbrook Condensed Milk Co." and "Darimade," which label purported to state the contents of the cans in the terms of weight and measure, and which labels on each of the cans stated said contents by weight and measure, as aforesaid, incorrectly.

On April 27, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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